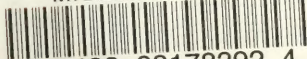


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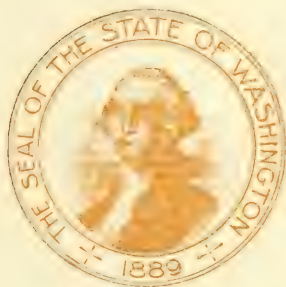
The Rise and Progress of an
American State

By
CLINTON A. SNOWDEN

Advisory Editors

CORNELIUS H. HANFORD, MILES C. MOORE, WILLIAM D. TYLER
STEPHEN J. CHADWICK

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CHAPTER XLIX.

THE WAR ENDS.

COLONEL WRIGHT did not deliver Leschi, Quiemuth, Nelson and Kitsap to the governor for trial, although he directed Major Garnett at Fort Simcoe to assure the Indians that it was for their interest that these chiefs should be given up. After the battle at Connell's Prairie, in which they had finally been defeated by the volunteers, under Major Hays, and after finding the country everywhere so thoroughly guarded that their guerilla bands could commit no depredation upon the settlers, these chiefs, with about twenty of their warriors, had fled across the Cascades and taken refuge among their kinsmen, the Yakimas. Here they remained until late in the fall when, finding that the other hostiles were not being molested, they found their way back to the Sound, intending to remain in concealment until they could ascertain whether their lives would be sacrificed by giving themselves up. But living in this way, like wild beasts who did not dare to show themselves by day, soon became tedious and disagreeable, and Quiemuth gave himself up to James Longmire, with the understanding that he would intercede for him with the governor. He was taken at once to Olympia, and arrived at the governor's office some two or three hours after midnight. The governor was awakened and received the party, and left them to spend the remainder of the night in his office. Longmire and Quiemuth lay down on the floor by the fire and, as both were tired, were soon sleeping so soundly that, when Longmire was awakened not very long after, he could not for the moment remember where he was, or realize what had disturbed him. Quiemuth was standing near the door, and a crowd had gathered outside. A shot had been fired, but who had fired it was not then or ever afterward known. Quiemuth soon fell

to the floor, but it was not the shot that had killed him. He had been hit by it, and wounded in the arm, but while standing at the door was stabbed to the heart by some person standing just outside, unseen from within, but believed to be James Bunton, son-in-law of the murdered McAllister.

The governor was aroused by the disturbance, and began at once to take steps to have the murderer discovered and apprehended. An inquest was held, but no proof sufficiently definite to justify the arrest of Bunton was secured.

The governor was much disturbed by this incident. Three or four other Indians had been killed at Olympia during the year, and other murders, like that of the Indian at Fort Nisqually, had given General Wool and his adherents occasion to arraign the governor for failing to protect the lives of the innocent and of prisoners. In April, an Indian, who is said to have been the one who threw Mrs. Brannan and her babe into the well, at the White River massacre, was surrendered at Seattle and sent to Olympia in irons, on the John Hancock. There he was shot dead in the street by a brother-in-law of the murdered woman. Another Indian named Mowitch had also been shot near the town, while getting into his canoe. These murders were a natural consequence of the disturbed condition of things, and no police power that the governor could have been justified in attempting to maintain, would have prevented them.

A reward of fifty blankets was offered for the apprehension of Leschi and it proved effective. He was surrendered by one of his own relatives on November 13th. A special term of court was at once convened at Steilacoom by Judge Chenoweth, with a grand and petit jury, and Leschi was indicted and almost immediately brought to trial. Public interest in the trial was very great, and the excitement of the settlers

was increased by the knowledge that Colonel Wright had refused to give him up for trial, and that Colonel Casey and the regulars at Fort Steilacoom felt kindly toward the prisoner, and would protect him from violence, and perhaps assist him in his defense. He had earlier offered to surrender to Casey; "but that officer had considered it more prudent that Leschi should, for a time, remain in the woods, as prejudice ran high against him," says Dr. Tolmie. It was of course assumed that the Hudson's Bay people would befriend him, so far as they could, and this helped to intensify the public feeling.

The indictment charged the prisoner with murder, in having killed, or been accessory to the death, of A. Benton Moses, who, with Joseph Miles, was shot only a few days more than a year before, near the spot where McAllister and Connell had been ambushed only two days earlier. He pleaded not guilty, and a jury was impaneled. Among the jurymen were: Sherwood Bonney, Albert Balch, J. H. Wright, Ezra Meeker and William M. Kincaid. Frank Clark appeared for the defense. Various witnesses were sworn and gave their testimony, among them being Captain A. B. Rabbeson, who had been with the express party returning from Captain Maloney's camp east of the mountains, of which Moses and Miles had been members. It was shown that this party saw Leschi near his camp as they passed it, and that only a few minutes later they were fired upon, and Miles was instantly killed and Moses mortally wounded. No one had seen the Indians who actually fired these two deadly shots, but they were fired from an ambush near Leschi's camp, and probably from the same ambush from which McAllister and Connell had been killed.

This evidence was not shaken by the defense, which relied upon its claims that a state of war between the whites and Indians had existed at the time all these men had met their deaths, and that the prisoner could not be held for lives sacrificed in war.

The court charged the jury that if a state of war really existed at the time, and the deceased and the defendant were engaged on opposing sides, then the killing was not murder, and the defendant could not be held guilty. It was also pointed out that in Indian wars no formal declaration was usually made, but some act of war on one part or the other marked its beginning. It was for the jury, therefore, to determine whether an act of war, sufficient to be regarded as notice that war had actually begun, had been committed, and whether the prisoner, and the man killed, had been engaged in it, before the killing.

The jury retired for deliberation, and it was soon found that they stood eight for conviction and four for acquittal. Many ballots were taken with this result. Finally, after several hours spent in arguing and balloting, the jurors returned into court, and asked to be discharged. But the judge would not discharge them, and sent them back for further deliberation. Several other ballots were taken. At length ten voted for conviction, but Meeker and Kincaid still held out, and declared they would never vote to convict. They again returned into court. It was then near midnight, and the small courtroom, but dimly lighted with candles, was crowded with the expectant settlers who had remained to learn the result of the trial. There was almost breathless silence when the foreman announced that there was no hope of agreement, and the jury were discharged.

The excitement, which had been intense while the trial was proceeding, was now at fever heat. The jurors who had refused to convict, anticipated that perhaps some violence, or indignity, might be offered them, but nothing of the kind happened. The settlers were disappointed, but they dispersed peaceably and went to their homes.

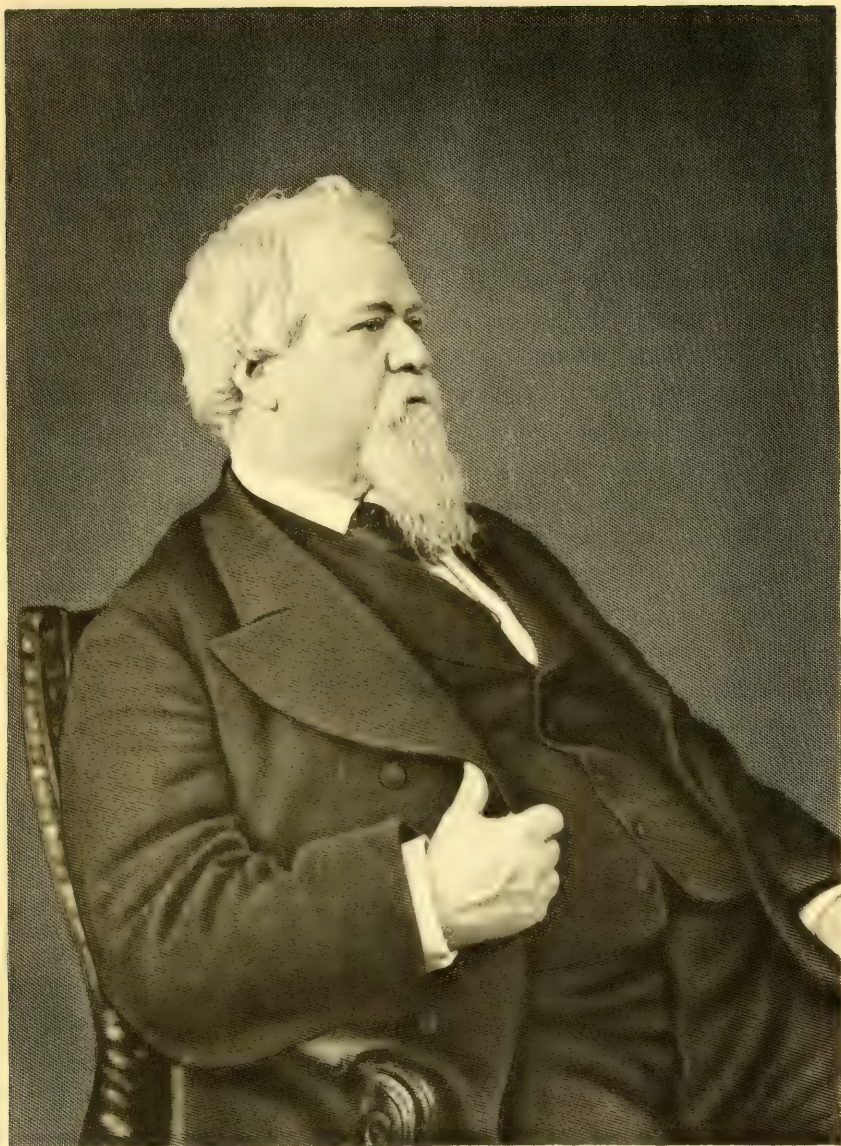
The judicial districts of the territory had now been rearranged, and Congress, in its wisdom, had provided that court should be held in only one place in each district. The next trial was accordingly held at Olympia, and began on March 18, 1857, Judge Lander presiding. About the same evidence was presented as at the former trial, and similar defense made. Public excitement was general and as keen as before, and the interest of the regular army officers, and Hudson's Bay people in the defendant even more apparent. The jury found the defendant "guilty as charged in the indictment, and that he suffer death."

Application for a new trial was made March 20th, but it was overruled. Lieutenant Kautz had by this time made a map of the ground on which the murder occurred, which showed, if it could be depended upon, that the defendant would have had to travel nearly twice as far as his victims had done after they had seen him, to reach the place where the tragedy occurred, and the defense asked for opportunity to present this to a jury, and show by it that it would not have been possible for Leschi to be present when the shooting occurred, but the motion was overruled. Leschi was then sentenced to be hanged on June 10th, following.

The case was now carried to the supreme court by writ of error, and the execution was accordingly stayed for the time being. The case was argued at the December term, before Justices McFadden and Chenoweth, the chief justice

being at the time out of the territory. The decision of the court was unanimous. The opinion, written by Justice McFadden, reviewed the errors assigned, at length, and overruled them, and Leschi was ordered to be again sentenced. This time the date of execution was fixed for January 22d, between the hours of 10 and 2 o'clock.

Soon after the sentence was pronounced a second time Leschi was sent to Fort Steilacoom for safe-keeping, and the army officers, Dr. Tolmie, and others of the Hudson's Bay people at Fort Nisqually, together with the prisoner's attorney, began to take active steps to secure a pardon. Governor Stevens, who had now been elected delegate to Congress, had resigned a month later, and Fayette McMullen of Virginia had been appointed, and installed as his successor. He gave a patient hearing to all the arguments made in the prisoner's behalf, by his attorney, and by Dr. Tolmie, who told at length the story of his acquaintance with him covering a period of more than twenty years. Affidavits had been prepared by some of the army officers, in which it was represented that from an examination of the ground where the murder was committed it did not appear to be possible that the prisoner could have been present, if the party, with whom the murdered men were, had seen Leschi at the time and place it was claimed they had, by the witnesses for the prosecution. The pardon asked for was refused, and then other efforts were made for a respite. Among others, Colonel Casey himself wrote to the governor urging that it be granted, but it also was refused, and the death-warrant was finally issued, being addressed to the sheriff of Pierce County, within the jurisdiction of which the prisoner was, he being at the time in the custody of Colonel Casey at Fort Steilacoom.



OTB M. Haden

admitted that he knew that the sheriff was under arrest, by civil process. Mason then sought to get the death-warrant from the sheriff, but he refused to give it up "without an order," as he said. The deputy sheriff also demanded, or pretended to demand, the warrant, so that he might proceed with the execution, but the sheriff again refused to surrender it.

Leschi had escaped the gallows for the time being, but by means which aroused public indignation to such a point as to make his doom, if possible, more certain. On the night of the day of which he was to have been executed, a public meeting was held at Steilacoom, at which the citizens voiced their indignation at the way in which the law had been trampled upon, in several speeches, and a series of resolutions, in which the officers at the fort who had taken part in the affair, those at Fort Nisqually, and the prisoner's attorney were denounced by name. A few evenings later another public meeting was held at Olympia, which was addressed by the governor and Secretary Mason, and similar resolutions adopted. One of these resolutions declared that "the conduct, on the part of officers of the United States army, exhibits a most unnatural, and unreasonable sympathy for the Indian, who was known to have been engaged in the fiendish massacre of helpless women and children on White River, in the fall of 1855, and that it is considered by this community good and sufficient cause for their immediate removal from the territory, and dismissal from the army."

The legislature was in session, and on the day following that on which the execution should have taken place, passed an act—"requiring the judges of the supreme court now in the territory, to hold a special session on the first Thursday in February," to pronounce upon the case of Leschi as it then

stood. The special session was held and the prisoner ordered to be resentenced, and in accordance with this order he was sentenced for a third time, and William Mitchell, then acting sheriff of Thurston County, Captain Isaac Hays having left the territory, was appointed to carry the sentence into execution. The date fixed was February 19th.

On that day the prisoner was delivered to Mitchell by Colonel Casey, and taken under guard to a point about a mile east of the fort, and near the north end of Lake Steilacoom, where, in a considerable depression in the prairie, forming a natural amphitheater, a gallows had been erected. Here, in the presence of a considerable number of settlers and Indians, he was hanged by the neck until he was dead.

His several trials, the sensational circumstances under which his execution was once postponed, and the public excitement attending his final sentence and execution, have caused him to be remembered as he otherwise would not have been. Some have supposed, from all that has been said and written about him, that he was a great chief—the real organizer and leader of the uprising. But he did not hold even a second place among the leaders of that enterprise. He was not a great Indian in any sense. He was not a warrior of consequence. He was not an organizer or a manager. He was simply a glib-tongued agitator, and like most other agitators, very competent to get those who listened to him into trouble, but wholly incompetent to get them out of it.

Sometime after his execution Colonel Shaw, who was the interpreter at his trial, reproduced the following speech, from memory, as that made by Leschi on one of the occasions when sentence was passed upon him. Its accuracy was not

vouched for, and yet it is probably as nearly accurate as the reports of other Indian speeches have been, that have long been famous. When asked if he had anything to say why sentence should not be passed upon him, and being told by the interpreter that he might speak if he wished, he arose and said:

"I do not see that there is any use of saying anything. My attorney has said all he could for me. I do not know anything about your laws. I have supposed that the killing of armed men in wartime was not murder; if it was, the soldiers who killed Indians were guilty of murder, too. The Indians did not keep in order like the soldiers and, therefore, could not fight in bodies like them, but had to resort to ambush, and seek the cover of trees, logs and everything that would hide them from the bullets. This was their mode of fighting, and they knew no other way. Dr. Tolmie and Quatlith, the red-headed chief, warned me against allowing my anger to get the best of my good sense, as I could not gain anything by going to war with the United States, but would be beaten and humbled, and would have to hide like a wild beast in the end. I did not take this good advice but nursed my anger until it became a furious passion, which led me like a false Tamanous. I went to war because I believed that the Indians had been wronged by the white men, and did everything in my power to beat the 'Boston' soldiers, but for lack of numbers, supplies and ammunition, I have failed. I deny that I had any part in killing Miles and Moses. I heard that a company of soldiers were coming out of Steilacoom, and determined to lay in ambush for it; but did not expect to catch anyone coming from the other way. I did not see Miles or Moses before or after they were dead, but was told by the Indians that they had been killed. As God sees me, this is the truth."

Leschi then made the sign of the cross, and said in his own Nisqually tongue

“‘Ta-te-mono, Ta-te lem-mas, Ta-te ha-le-hach, tu-ul-lis-sist-ah,’ which, being interpreted, means, This is the Father, this is the Son, this is the Holy Ghost; these are all one and the same. Amen.”

The Indian war was now over, so far as the territorial government and the settlers were concerned. Quiemuth, Leschi and Stehi, who had been active in the uprising, were dead, and Nelson and Kitsap had been apprehended, tried and acquitted. The hostiles west of the mountains were dispersed, and there was no longer any danger that they would make trouble among those who had so long been kept together in the reserve camps. During the summer of 1856, Governor Stevens had visited the camps in the upper Sound, and conferred with the Indians in regard to the changes they wished to have made in their reservations. He had himself learned, by this time, that those assigned to the Puyallups and the Nisquallies were not suited to their use, and, as the treaty with them had been ratified, he undertook to secure for them what they required, by executive proclamation, and this he did while a delegate in Congress, securing for the Puyallups 18,060 acres adjoining the present city of Tacoma, which has since that time made that tribe one of the richest in the United States. The Nisqually reservation was also considerably enlarged. A small reservation was also secured for the Muckleshoot tribe, consisting of several fractional sections fronting on White River. It was a curiously shaped reservation, but Stevens afterwards explained that he had arranged it as the Indians wanted it, and it evidently was not arranged as it was for any other reason.

During the sessions of the legislature, of which four had now been held, the governor's recommendations had generally

been followed, and most of them carried out. The most important business at each session had been the adoption of memorials, informing Congress as to the needs of the territory, and asking appropriations for the improvements most urgently required. Actual legislation had been confined to the enactment of laws of local interest, as the work of the first legislature, aided as it had been by Judges Lander, Strong and Monroe, had been so complete as to leave but little in the way of general laws to be desired. The second legislature passed a crude militia law, and amended the school, road and fence laws, and changed the time of holding the general election from June to July. It also set off Chehalis County from the second judicial district, and attached it to the first. Representation in the House was increased from eighteen to thirty members. Marriage between white persons and those who were of more than one-fourth Indian or negro blood was forbidden, and clergymen might be fined not less than \$50, nor more than \$500, for marrying such persons, unless they had been or were living together at the time the act was passed. The territorial penitentiary was voted to Clarke County, the capitol to Olympia, to be located on the land claim of Edmund Sylvester, and the State university to Seattle, though a branch of it was to be established at Boisfort. An act prohibiting the manufacture and sale of ardent spirits, and providing for the appointment of an agent to sell spirits and wine for medicinal, mechanical and sacramental purposes was also passed, to become law when approved by the people, but it was defeated by a majority of 70 votes, in a total of 1,150 cast.

The third legislature met in the winter of 1855-56, when the settlers had been compelled to abandon their homes, and most of them were serving with the volunteers, while

their families were living in blockhouses or stockades. Business everywhere in the territory was prostrated. The regular soldiers had been withdrawn from the country east of the mountains, and the Oregon volunteers were fighting the battles for both territories on the Walla Walla, while Governor Stevens was forcing his way through the hostile mountain country, as best he could, toward home. This legislature asked Congress to investigate the conduct of Rains in abandoning the Yakima country, and in disbanding the volunteer company raised to go to Stevens' relief. It also protested against the separation of the offices of governor and superintendent of Indian affairs, as the Indian office had recommended.

When the next legislature assembled, on December 1st, Governor Stevens announced that the message sent to it would be his last, as he had determined to resign. The war was practically ended; the accounts of the quartermaster closed, and his report and that of the adjutant-general completed. These reports, together with the orders, reports and correspondence from and with the various officers in command, and with General Wool and other officers of the regular army, were submitted with the message, and make up a most complete and interesting history of the war, as well as a valuable contribution to the history of the nation. The quartermaster-general's report showed that the total amount of scrip issued was \$1,481,475.45, of which \$961,882.39 was for equipment supplies, etc., and \$519,593.06, for pay of the volunteers. "As an evidence of the fidelity with which the public interest has been protected," says the quartermaster-general, in closing his report, "it is sufficient to state that, whilst 571 horses were purchased for the service, 600 have been turned in and sold. When it is remembered that

many of the animals have died in service, and that many have been captured by the enemy, it will be seen how faithfully the animals purchased, and those captured at Grand Ronde have been accounted for."

The companies raised under the calls of acting-Governor Mason, for three months' service, were denominated the 1st regiment, and those under the calls of Governor Stevens, the 2d regiment. Of the former there were, rank and file, 518 mounted men and 345 unmounted; in the latter there were 584 mounted, and 485 unmounted, or a total of 1,069 men serving at one time; of these three companies, consisting of a total of 185 men, were raised in Oregon and 123 were Indians. As the population of the territory was then but little more than 4,000, it appears that nearly one-fifth of the whole were actually under arms, while a large number of others were employed by the quartermaster to keep them supplied with food and ammunition.

The declaration of martial law, and arrest and detention of Judge Lander produced intense feeling throughout the territory, and as time passed the governor's action was more and more severely criticized. People felt that a dangerous precedent had possibly been established, and that unless vigorous protest were made against this autocratic interference with the authority of their courts, great dangers might result. The party names, Whig and Democrat, which had long been familiar, were for the time being disused, and the only parties known were the Stevens and Anti-Stevens. When the legislature organized, William H. Wallace was chosen president, and Elwood Evans, clerk of the Council. Both were Whigs, and opponents of the governor. The House chose Joseph S. Smith, speaker, and Reuben L. Doyle, clerk, and both were Anti-Stevens Democrats. Martial law

had alienated some of the governor's oldest friends, among them, Evans, and B. F. Kendall, who had come out to the territory as members of his surveying party, and many others.

The message was an able one, as all of Stevens' state papers were. It stated the grounds for his actions fairly, defended his course with his accustomed courage, and closed with a manly request for a full investigation. This the legislature at once proceeded to make. Those opposed to his course were led by Joseph S. Smith, W. H. Wallace, A. A. Denny, Alexander S. Abernethy, Alonzo M. Poe and William Cock, once one of his most ardent friends and supporters, and he was defended and championed by Judge William Strong, the able lawyer and sterling citizen, who had been so helpful in forming the code adopted by the first legislature, and who had also been captain of the first volunteer company raised in Clarke County. Although a Whig in politics heretofore, and the candidate of his party for delegate in Congress at the last election, he now staunchly and eloquently championed the cause of Stevens, a Democrat, although the issue was one in which, as a sound lawyer, he would naturally be expected to be on the other side.

The debate was long and earnest, and the public interest in it was keen and wide spread. It ended in the adoption of a resolution of censure.

This legislature also spent much time and effort in an attempt to adapt matters to the new arrangement by which Congress had provided that court should be held at only one place in each judicial district. This was certain to be oppressive to the great majority of settlers, who would be compelled to make long journeys with their witnesses, in case they had business in court. To relieve them, so far as possible, from this burden, a series of amendatory laws were

required, and these were passed. An attempt was also made to confer authority upon the probate courts to try criminal cases, but this was abandoned, and for years afterwards, the courts, now known simply as district courts of the territory, held sessions at only one place in each of these districts.

A new county was also created at this session, out of territory hitherto a part of King and Jefferson counties. It was to be named Slaughter County, if its people approved, but they did not, and subsequently chose the name of Kitsap, that of one of the hostile Indian chiefs, who had been tried for murders committed during the war, and acquitted, but who was subsequently shot by one of his own people.

In the spring of 1857, Governor Stevens became a candidate for delegate in Congress, where he was ambitious to serve, in order that he might secure the ratification of the treaties he had made, procure the payment of the volunteers, and appropriations for the debts incurred during the war. The Whigs, or rather the Anti-Stevens party, nominated Alexander S. Abernethy, and the governor challenged him to make the campaign in his company, and discuss its issues before the same audiences. But this Abernethy declined to do, and William H. Wallace traveled with the governor's party, and spoke for the opposing candidate. Among the governor's party during this campaign, was Selucius Garfiede, a young man of fine abilities and appearance, who had only recently arrived in the territory, under appointment as receiver of the land office. He was an eloquent speaker, assisted the governor greatly in his campaign, and subsequently became very popular in the territory.

The governor courageously defended his course in proclaiming martial law, recognizing the fact that he himself

was the real issue of the campaign. The contest was very spirited, and the debaters visited nearly every important settlement in the territory, before the day for voting arrived. In some places, particularly at Steilacoom, where the various trials and sentences of Leschi had kept public feeling at fever heat, some feeling, amounting almost to bitterness, was shown, but no disturbance of the peace occurred. When the ballots were counted the governor was found to have received 986 votes to 549 for his opponent. Thus by nearly two-thirds of the voters his course was approved.

Early in 1857 General Wool was relieved of his command on the coast by Colonel N. S. Clarke of the 6th infantry, but his policy of preserving peace by keeping settlers out of eastern Washington was continued by Colonel Wright, who remained in command on the ground. His forces had been disposed about as Stevens had recommended in his letter to Wool from the Walla Walla council grounds, two years earlier, and were in the best position possible for holding the hostiles in check. But they did not hold them in complete subjection. Wright's treatment of them, under Wool's direction, only encouraged their hostility. Kam-i-ah-kan, Owhi and other chiefs, although not actively in arms, were quietly at work among the Spokanes, the Okanogans, the Palouses and even the Nez Percés, and encouraging them to hostility. The effect of this agitation in time began to show itself. There were no Americans in the country who could be attacked, except a few miners at Colville, and the Indians were not bold enough to attack the soldiers. Nevertheless, Wright was made to understand, during the summer of 1857, that the peace he pretended to have made was but a sham. In the fall the Catholic missionaries among the Cœur d'Alenes and other northern tribes, wrote to their brethren at and

near Vancouver, that they were laboring incessantly to keep the Indians about them at peace, but feared they would not much longer be able to restrain them. Prominent chiefs of the Spokanes declared "that if the soldiers showed themselves in their country, their people would become furious." The miners at Colville were becoming alarmed. That industrious and intrepid soldier, Lieutenant John Mullan, whom Stevens had left in the Rocky Mountains in 1853, to complete his railroad survey, was now surveying a wagon road through their country. Tilcoax, chief of the Palouses, said to be the owner of 800 horses, now boasted of his alliance with Kam-i-ah-kan, and had become bold enough even to shoot cattle belonging to the garrison at Walla Walla. The Cayuses and Walla Wallas were boasting that all the Indians were now united, and could make war for five years if they had to. They had even adopted Wool's phrase, and declared that the war they would make would be "a war of extermination."

The time had come, therefore, when Wright must make war in earnest, or permit his soldiers to be insulted in their camps. Early in August thirteen head of cattle belonging to the garrison at Walla Walla, where Lieutenant-Colonel Steptoe was in command, were stolen. Two white men on their way to Colville were murdered, near the Palouse River, about the same time, and the names of the murderers were reported to Steptoe by a friendly Indian.

Early in May Steptoe prepared to advance into the country of the hostiles, north of the Snake River, and make a demonstration that would perhaps compel the Palouses, Spokanes and Cœur d'Alenes, inhabiting that region, to have more respect for United States troops and the authority of the government. On the 8th, he left Fort Walla Walla with 159

men belonging to the 1st dragoons, including a detachment from the 9th infantry, and two howitzers. One hundred pack mules had been provided to transport the supplies, which, strange to say, included little more ammunition than the men carried in their cartridge boxes. The route taken lay through the present counties of Walla Walla, Garfield and Columbia, to the mouth of Alpowa Creek, where the command was assisted in crossing the Snake by a party of friendly Nez Perces, from the camp of the native preacher Timothy. From that point Timothy and three of his people accompanied the expedition, Steptoe intending to use them as intermediaries and interpreters. On the 16th, as the command was approaching Four Lakes, the hostiles were found to be assembling about it in formidable numbers. They sent word to Steptoe that he must advance no further or they would attack him. He replied that he had not entered their country with any hostile intent; that he must remain where he was during the night on account of water, but that he would turn back next morning.

True to his promise he started to retreat at 3 o'clock a. m. and by daylight found himself surrounded by from 1,000 to 1,500 warriors, all painted and armed for battle. Before he had gone three miles the attack began, and the battle soon became general. Some of the soldiers were armed only with old muskets that were of very little value, and some were recruits who had never seen a battle, and scarcely knew how to keep their places in the ranks. These could not be kept from wasting their ammunition, of which their supply was short at best. The Indians, emboldened by their vastly superior numbers, pressed close upon the troops, in flank and rear, who were greatly embarrassed by having to defend their pack train while in motion. The rolling

character of the ground was also advantageous to the Indians, because of their numbers. The defense of the flanks of the desperately fighting column was assigned to Captain Taylor of Company C and Lieutenant Gaston of Company E, and they sustained their desperate positions with credit to themselves, and the army, until the former was mortally wounded. Steptoe then took position on a hill which offered some advantages for defense, hoping in this way to make a more effective battle. But his men were rapidly disabled by the well-directed fire of the savages, who sometimes pressed so close upon them that they could be driven back only by charges with the bayonet. In one of these, in which Lieutenant Gaston and Gregg, with a few men each, united, twelve Indians were reported to have been killed, and many more wounded. About noon Gaston, a brave officer, was killed, and his men fell back in confusion, and were rallied only with great difficulty. Twice during the day the savages seemed about to make a charge in which they would doubtless have overwhelmed the entire command, could they have mustered courage to make it. The soldiers were becoming dispirited by the loss of their officers and comrades, and by the seeming certainty that, if wounded, they could not be carried away, and would be left to the mercy of their savage assailants. Night alone saved them from utter and final destruction.

Indians rarely continue a battle after nightfall. When the firing began to slacken and then finally ceased, Steptoe consulted with his officers, and determined to make a forced march during the night, and if possible escape. His men had been fighting most of the day without food or water. There was no water to be had where they were. It was 85 miles to the Snake River, beyond which, if he could reach it,

he might hope to be no further pursued. He was greatly encumbered by his wounded, but as many of his men had now only three or four rounds of ammunition left, they could not hope to maintain the battle through another day where they were. They accordingly buried their howitzers, left their dead unburied, and, gathering up as many of the wounded as could be reached, started for the river. The horses were forced to a gallop. Some of the wounded, who could not walk, were bound upon horses or mules, and one of them suffered so much that he begged to be shot, or to be given a pistol with which to shoot himself. Two wounded men fell behind the column during the night; one of them afterwards reached the river alive, but the other fell into the hands of the savages and was killed and scalped.

According to Steptoe's report, two officers and two men were killed in this battle, two were mortally, six severely and seven slightly wounded, while one, Sergeant Edward Ball, was missing. The Indian losses were believed to be much larger.

It was now so evident that Wool's policy was a failure, and that there would be no peace until the Indians were made to feel the power of the government, that reinforcements were hurried up from California as soon as possible, and Colonel Wright himself took the field. Wright was a capable soldier when fighting was to be done, and now that fighting could no longer be postponed or avoided, he inaugurated a campaign that even Stevens himself would not have pushed with more vigor; it is even probable, if not absolutely certain, that he would have used the rope less frequently, upon those who fell into his hands after the actual fighting was over.

General Clarke visited the Columbia in June, when it was arranged that Wright's force, now increased by a large reinforcement from the 3d artillery, should be divided, about 300 men being sent to Fort Simcoe, and the remainder to Walla Walla, whence they would move into the Indian country. By August 7th, the main body, composed of about 700 men, was ready to take the field, and the advance guard, consisting of one company of dragoons and six companies of artillery, with two twelve-pounder howitzers, and two six-pounder guns, under Major Keyes, started out in much the same direction that Steptoe had taken in May, though aiming to cross the Snake at the confluence of the Tucannon. At that point Fort Taylor, so named in honor of Captain Taylor, who was killed in Steptoe's battle, was built as a supply station. Here a Catholic priest, who had long lived among these Indians, was sent to inform them of the terms on which peace would be made with them, but they sent back the insulting reply that the soldiers were always talking of war, but never making it, and they warned Keyes that if his men ever crossed Snake River none of them would return. The old chiefs said they were now going to fight till they died; they had plenty of arms, ammunition and provisions; when their ammunition gave out they would poison their arrows and fight with them.

On the 18th Wright came up with the remainder of his command, the pack train, and about thirty friendly Nez Perce warriors, who were placed under command of Lieutenant Mullan. On the 25th the Snake River was crossed and the whole force marched northward. Near the close of the fifth day's march small bands of Indians were seen, but none attempted to molest the column. They were evidently scouting parties, and their movements indicated

that the main body of the hostiles was not very far away. The advance was continued on the day following, and more scouting parties were seen, with which shots were exchanged by the advance guard.

The command was now only about twenty miles south of the Spokane River, in a gently rolling country, with plenty of grass and but little timber. On the morning of September 1st, Indians were found to be watching the camp from the tops of the surrounding hills, in such numbers that the dragoons and four companies were ordered out to disperse them, while a strong guard was left to defend the 400 mules of the pack train, and the baggage. After advancing about a mile, and dislodging the Indians from a high ridge which they ascended, the soldiers found themselves overlooking four lakes, a large one just below them at the foot of the hill, and three smaller ones beyond, all bordered with rocky shores, which were fringed with stunted pines. Between these lakes, and beyond them to the northeast, was a wide plain, and beyond were grassy hills, one succeeding another for many miles, while in the distance a range of mountains could be dimly seen.

"On the plain below us," says Lieutenant Kip, "we saw the enemy. Every spot seemed alive with the wild warriors we had come so far to meet. They were in the pines, on the edge of the lakes, in the ravines and gullies, on the opposite hillsides, and swarming on the plains. They seemed to cover the country for some two miles. Mounted on their fleet, hardy horses, the crowd swayed back and forth, brandishing their weapons, shouting their cries, and keeping up a strong defiance. Most of them were armed with Hudson's Bay muskets, while others had bows and arrows, and long lances." All were in their war paint, and

gaily bedecked with feathers, and other articles of Indian finery. Many of their horses were painted also, and these they rode furiously over the prairie, sometimes as if intending to make a charge on the troops, and again wheeling away over the plain as if they had no other object in view than to exhaust the poor animals, before the battle should begin.

The artillery and infantry companies were deployed and advanced down the hill, driving the Indians before them into the plains, where the dragoons could act against them. At the same time the howitzer battery, supported by an infantry company, was sent to the right to drive them out from their hiding places among the pines. A few shots from the howitzers soon sent them skurrying toward the rear.

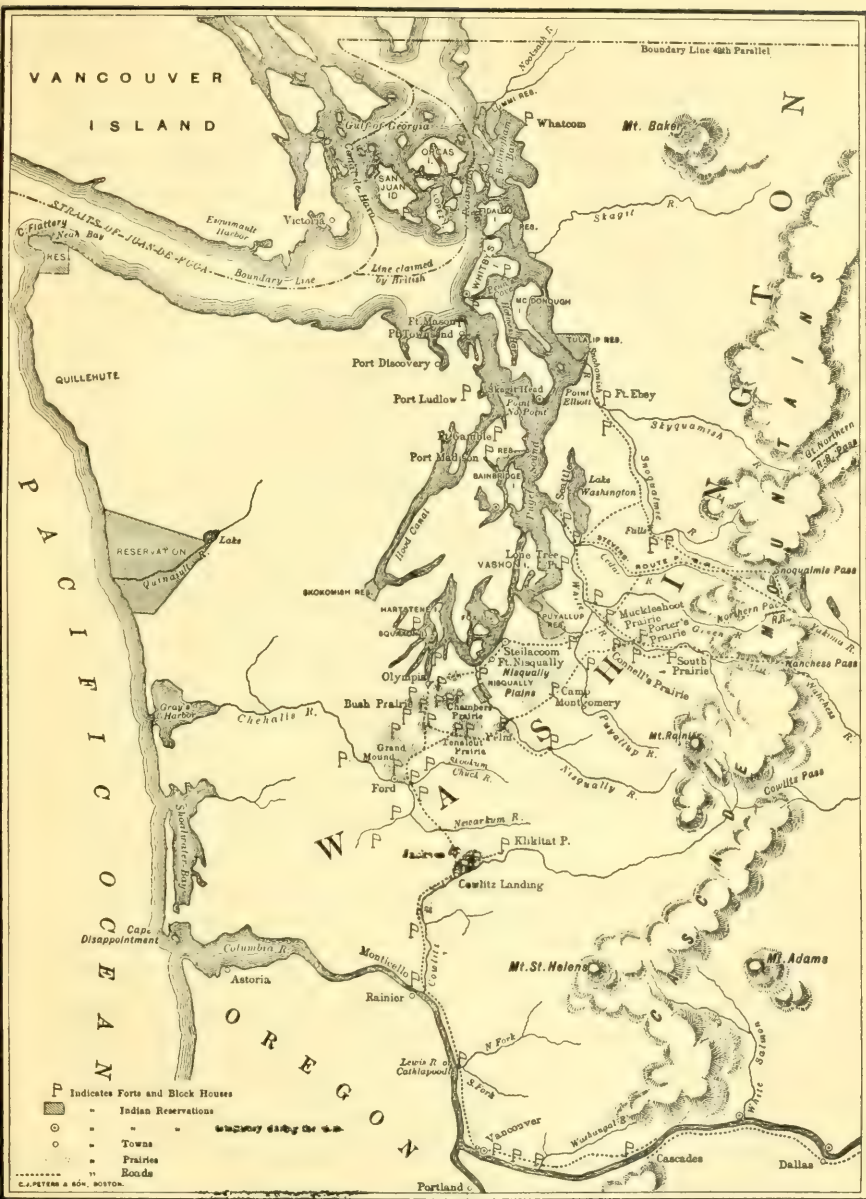
The soldiers of the main column moved down the hill in perfect order, and, when within about six hundred yards of the savages, began to make them acquainted, for the first time, with minnie bullets and long-range rifles. The reinforcements sent up from California were armed with these weapons, something so superior to the guns heretofore used by our soldiers, as to make a marked improvement in their efficiency. The hostiles were astounded at their great range. As they would come charging forward, in full confidence, to what had formerly been a safe distance, first one and then another, and then half a dozen or more would fall from their horses. Then some of the riderless horses would dash wildly about the field, or fall dead or disabled, showing that the new bullets were taking effect on them as well as upon their riders. The soldiers advanced steadily, firing regularly as they advanced, and the whole frantic mass of savages soon turned and ran for the hills. This was the time for the dragoons to begin their work. They had

INDIAN BATTLEGROUND

This map of western Washington is copied, by permission, from the life of General Isaac I. Stevens, by his son, Hazard Stevens.

VANCOUVER





advanced with the rest of the column, using their guns as the other soldiers had used theirs, their horses being led closely behind them. At the order of Major Grier each dragoon mounted his horse, and charged at a gallop. "Taylor's and Gaston's companies were there, burning for revenge," says Kip, "and soon they were upon them. We saw the flash of their sabers as they cut them down. Lieutenant Davidson shot one warrior from his saddle as they charged up, and Lieutenant Gregg clove the skull of another."

The Indians were soon driven from the plain, and took refuge in the clumps of timber on the hills. Here they were for a moment safe from the dragoons, whose horses had suffered too much on the march to be able to stand much hard riding. The infantry and the howitzers completed the matter, and the savages were soon in full retreat. From the crest of the hill, which in the beginning had formed the background of the battlefield, the soldiers saw only a few small parties, which had apparently been left behind to see how rapidly and by how many they would be followed, but a few well-timed shells soon dispersed these. At the end of four hours after the troops left their camp, not an Indian could be seen.

The plain was strewn with their guns, bows, arrows, lances and blankets, and many of their horses, too, had been left behind, which the soldiers lost no time in securing. But none of the Indians dead or wounded were left behind. The soldiers were confident, however, that seventeen had been killed, and that many more had been wounded. Later it was learned that a brother-in-law of Garry, the educated chief of the Spokanes, had been killed. Strange to say, not a soldier had been hurt, and not an animal had been lost, although one horse had been slightly wounded.

The Indians made but one other stand after this battle of the Four Lakes. After resting three days, during which the friendly Nez Perces scouted the country in all directions, finding no hostiles, but having learned the direction they had taken, Wright again set his column in motion. On September 5th, when some fifteen or twenty miles below the falls of the Spokane River, Indians were seen hovering about the flanks of the little army, and their numbers rapidly increased. As the troops emerged upon a considerable stretch of prairie they found that the enemy had set the grass on fire, and, as the wind was blowing strongly in their faces, they were nearly blinded by the smoke as well as threatened by the flames. While struggling with this difficulty, the Indians opened fire on them. The pack train was now hurried up, and the soldiers, forming a line about it, prepared to defend it from both fire and the enemy. As at Four Lakes the Indians conducted themselves as if frantic. They are always hard riders, and show little mercy for their horses, but now they seemed determined to destroy them. Massing on a hill four or five hundred feet high, and sloping toward the troops at an angle of forty-five degrees, they forced their horses down it at a gallop, and then wheeled and raced up it again, yelling the while like so many furies, until their poor animals were exhausted. In all this they of course accomplished nothing except to maim and destroy the poor brutes which might have been of some service to them in the battle. But exhibitions of this kind seem always to have been an unfailing part of Indian warfare.

By a well-ordered charge, through the blazing grass, the soldiers easily drove the savages in their front to take refuge in the timber, from which a few shells from the howitzers in turn dislodged them. Then another charge was made.

By this process they were driven from cover to cover, from behind trees and rocks, from ravines and depressions in the prairie, for a distance of three or four miles, until they finally emerged upon Spokane plain, where Major Grier and Lieutenant Pender, with the dragoons, swept them in masses before them. In this part of the battle a chief was killed, upon the saddle of whose horse was found a pistol used by Lieutenant Gaston when he was killed in Steptoe's fight.

So the battle continued, the Indians occasionally attempting a rally, but always being put to flight, either by a charge of the infantry or the dragoons. A running fight was kept up for a distance of about fourteen miles. Finally the Indians were utterly routed, and the tired soldiers made their camp on the bank of the Spokane River, about six miles below the falls. They had marched twenty-five miles during the day, and had been fighting most of the time without water, save what they carried in their canteens. They now refreshed themselves at the river with a day's rest, during which they gathered some spoil from the enemy, which had been abandoned during the battle. But they found none of his killed or wounded. They knew however, that some had been killed, for some had been sabered by the dragoons, and others had been seen to fall before the well-aimed bullets of the foot-soldiers, and the shells from the howitzers.

On the 7th camp was moved up the river, over the site of the present city of Spokane, to a point a short distance above the falls. Here Garry came to see Colonel Wright, to say that he had always been opposed to fighting, but had been unable to control his people, as many of the other chiefs were against him. Wright told him he had not come to ask for peace, but to fight. He had now fought two battles, without losing a man, or an animal, and was prepared

to fight still longer if the Indians wished. "When you are tired of war, you must come with your arms, and your women and children, and lay them at my feet. I will then tell you the terms upon which peace will be made. If you do not do this, war will be made on you this year, and next year, until your nations shall be exterminated."*

If Wright had talked to the Indians in this way at the crossing of the Naches two years earlier, and acted then as he had been acting for a week past, the war would have been ended with very little trouble, Steptoe's gallant men and officers would not have been slaughtered, as they were, and the lives of many Indians, who had since died on the battlefield, or been shot, or were still to be shot or hanged for the crime they had committed, would have been spared. Garnett had recently shot ten of the Yakimas, whom he had taken prisoners in the country, above Fort Simcoe, and two others had been shot while attempting to escape from the soldiers. Wright himself was about to begin a series of executions which was not to end until fifteen victims had ascended the gallows. One of these came into his camp on the evening of September 7th, with Chief Polotkin of the Spokanes, and several other Indians, to talk of peace. He was suspected of having recently been present at the murder of two miners on their way to Colvile. He was detained, and on the following evening was summarily tried and hanged.

On the 8th Wright moved a few miles further up the river, and during the day captured about 800 horses belonging to Chief Tilkoax of the Palouses. All these, together with about 100 others subsequently captured, except a few used to replace some disabled animals belonging to the command, were shot. Nothing disables the Indians in a hostile country

* Colonel Wright's report, dated September 9, 1858.

so much as to deprive them of their horses, and these were killed because it was impossible to care for them. The soldiers were nearly two whole days in completing their destruction. Sometimes shooting them singly, and sometimes firing volleys into the corrals by which they were slaughtered by dozens.

On the 17th Wright held a council with the Cœur d'Alenes, in which he told them he would make peace only if they would deliver up to him those who had begun the attack on Steptoe, contrary to the orders of their chiefs; also all the property in their possession which they had captured from Steptoe's command, or from other white people; allow all white people to travel through their country unmolested in future, and give him one chief and four warriors, with their families, to be held as hostages for their good behavior. To these terms the Indians consented. In reporting this council to headquarters Wright wrote: "They know us; they have felt our power, and I have full faith that the Cœur d'Alenes will henceforth be our staunch friends."

On the 23d a council with the Spokanes was held, and in the evening Owhi presented himself at Wright's camp, and was immediately seized and put in irons. Wright had not seen him since that day in May, two years before, when he visited his camp on the Nachess, and promised to bring in all the Yakimas within a few days, and make a lasting peace. He now made sure that the old rascal would not again deceive him, and besides he was particularly anxious to get possession of his son, Kwalchen, the murderer of Bolon, and thought the surest way to do this was to detain the father, and send word to the son that he would be hanged if he did not forthwith appear.

The next day, about 9 o'clock, two gaily dressed warriors and a squaw, followed by an Indian hunchback, rode boldly into the camp and directly to Colonel Wright's tent. All wore a great deal of scarlet, and the squaw was bedecked with two highly ornamental scarfs, passing over the left shoulder and under the right arm, while on the saddle in front she carried a long lance, the handle of which was wound with strings of many colored beads. The two braves carried rifles, and one had a highly ornamented tomahawk. This was Kwalchen the much-wanted, and he and those with him were immediately seized. "He came to me at 9 o'clock this morning," says Colonel Wright in his report, "and at 9:15 he was hung." So perished the murderer of Bolon.

The command was now in the neighborhood of the Palouse River, and on the 24th the remains of those killed in Step-toe's fight were recovered; those of the soldiers were buried in the field, while the bones of Captain Taylor and Lieutenant Gaston were conveyed to Fort Walla Walla, where they were buried with military honors. On the evening of that day fifteen members of the Palouse tribe, found in the neighborhood of the camp, were seized, and six of them were promptly hanged.

A few days later, while the command, with its prisoners and hostages, was crossing a small stream south of Snake River, Owhi and Lieutenant Morgan, who were riding together, became separated by a short distance from the command, and the old warrior made a dash for liberty. Three shots from the officer's revolver brought him to the ground, and the rifle of a soldier ended his life.

On September 30th, Colonel Wright could report that the war was closed, as it now really was. After three years of fruitless maneuvering and proclaiming of peace, peace when

there was no peace, the regulars had made a vigorous campaign of little more than thirty days' duration, which had made the hostiles feel the power of the government, and compelled them to deliver up the murderers they were keeping in hiding, for the punishment they had deserved. All this Stevens had insisted upon from the first as necessary, before a lasting peace would ensue. It was now done, and at much greater cost to the government, to the settlers, to the army and to the Indians, than would have been necessary but for Wool's mistaken policy. Owhi and Kwalchen, Peo-peo-mox-mox, Kanasket, Leschi and Quiemuth, and many of their bravest warriors were dead; Kam-i-ah-kan and his brother Skloom had fled across the border into British Columbia never to return. The treaties which Stevens had made, which the Indians had broken, and the ratification of which Wool, and subsequently Clarke, had opposed, were now confirmed, and time has demonstrated that their faults, where they were at fault, were generally in favor of the Indians.

CHAPTER L.

FRASER RIVER AND SAN JUAN.

TWO events turned the attention of the people of Washington Territory, and finally of the whole country, sharply toward the northwestern boundary, in 1858 and 1859—the discovery of gold in the Fraser River, and the killing of a pig on San Juan Island. Ordinarily the killing of a pig is not a matter of much consequence, but the killing of this one led to military and naval demonstrations on a considerable scale, and for a few weeks threatened to involve two great countries in war.

The first announcement that gold had been found on Fraser River appears to have been made in a proclamation by Governor Douglass, of Vancouver Island, warning all miners and prospectors to keep out of the district, or pay a fee of 21 shilling a month to the British crown. This proclamation was dated December 28, 1857, and it was published in the "Pioneer and Democrat" at Olympia, by order of Dr. Tolmie. For several weeks it attracted no attention. It was not until the issue of March 5th that the editor of that paper made any reference to it.

Then he informed his readers that it was reported that miners on the Fraser were making from \$25 to \$50 per day, and that Indian women were panning out \$10 to \$12. The next week he announced that two parties had started for the mines from Bellingham Bay, and the week following that many of the men employed in Colonel Fitzhugh's coal-mines had gone to hunt for gold. By the middle of April most of the lumber mills in the lower Sound were beginning to be crippled by the desertion of their men. The crews of several ships and fifteen soldiers from Fort Steilacoom had also left for the mines, and desertions from Forts Townsend and Bellingham were becoming frequent.

None of these articles contained much information of value. There was indeed but little information to be had. The season was early; the rivers everywhere along the coast were at flood depth from the winter rains, and but little mining or prospecting was possible. Few if any Americans had yet gone to the new diggings, and all the information received from the new district had been brought out by the Hudson's Bay employees who had made the discovery.

But reports of a new gold discovery anywhere on the coast, in those days, was sure to be investigated very soon by some enterprising American prospector. News of his success, if he succeeded, was equally sure to find its way to the public promptly. Some of the earliest information of this kind from Fraser River found its way to the office of the Puget Sound "Herald," published at Steilacoom. Affleck and Gunn had established the Puget Sound "Courier" in that place in 1855, but it had suspended in 1857, and subsequently Lafayette Balch, while in San Francisco, had met Charles Prosch, and arranged with him to go to his town and try a new venture in the newspaper way. Prosch established the "Herald," and had scarcely got well started, when he was fortunate enough to get some news from the goldfields that put his paper in great demand. Copies sent to San Francisco sold on the wharf at \$1 each. Those of succeeding weeks sold at \$5 each, and when these were exhausted galley-proofs of the mining news, which had been sent because no more copies of the paper could be got off the press, sold as readily at the same price. The San Francisco "Herald" of April 25th said the excitement in California fully equaled that in the Atlantic States over the early news of gold discoveries in California. By the middle of May, steamers were bringing hundreds of goldhunters from California

and other coast points to Victoria and Whatcom. On May 20th, the steamer Panama landed 500 men at Whatcom. A month later 1,800 were landed within three days at the same place, besides 1,000 at Victoria. By the 1st of July four additional steamers had landed 3,000 more, and sailing ships were discharging whole cargoes of groceries, provisions, clothing and miners' tools, brought up from San Francisco by merchants who had now established themselves in tents on the shores of Bellingham Bay, where a city of ten thousand people, according to the estimates of the time, had sprung up as if by magic. On May 23d, there were eleven general stores, two butcher shops, three bakeries and two restaurants in the place, where three weeks earlier there had been nothing more than a saw mill, a coalmine and a few settlers' cabins. During the six weeks between May 19th and July 1st, as the records in the customhouse at Victoria show, 19 steamships, 9 sailing ships, and 14 other vessels entered at that port, with 6,133 passengers. Ships from various points also brought passengers to Port Townsend, Seattle and Olympia, who subsequently found their way by various routes to or toward the new El Dorado. Some crossed the mountains by the Naches and Snoqualmie passes. Some went up the Columbia from Portland, and then crossed the country northward. Many of these had trouble with the Indians, and the remainder encountered almost numberless difficulties in their attempts to penetrate through the unexplored passes of the mountains.

By the middle of July a trail had been cut by the gold-hunters themselves, for a distance of nearly a hundred miles, so the report was, from Bellingham Bay toward the mines. Many supposed it was completed, and started out with their camp and mining outfits, while others duly

celebrated the occasion as if it had been completed, and so encouraged others to set forth.

Whatcom and Sehome were now so prosperous, and their future seemed so thoroughly assured, that speculation in real estate became active. The holders of donation claims had as yet secured no title which they could convey. Their claims were not even surveyed, but many were willing to buy under such promise of title as they could offer, and so the claim-owners began to sell, measuring off for each purchaser as much as he wished to buy, describing it with reference to the stumps, stones and trees, which still covered the town-site. Edward Eldridge sold to Ezra Meeker a lot described as follows: "Beginning at a stump in the bank of the Squalecum Creek, about 20 feet above the bridge, near the mouth of said creek; thence running due west 240 feet, thence due south 60 feet; thence due east 240 feet, thence due north 60 feet to place of beginning." The tide flats in front of the town, which nobody owned or claimed, or could claim at that time, were staked, down to the very edge of the water at low tide, and some sent to Olympia and Steilacoom for piledrivers, in the hope of making the marking of their boundaries more permanent, and possibly also of making their title more secure by its aid.

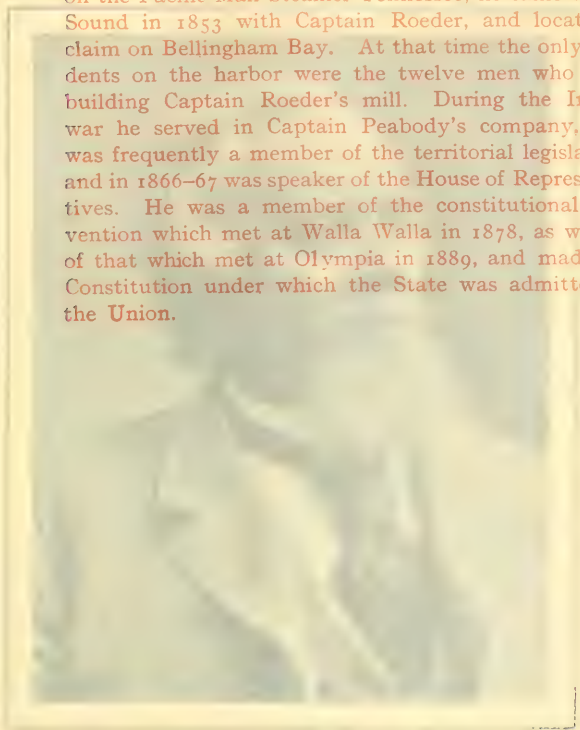
During these exciting days a newspaper was started at Whatcom, and named the "Northern Light." Could its proprietors have guessed how appropriately they had named it, they would never have started it, for,

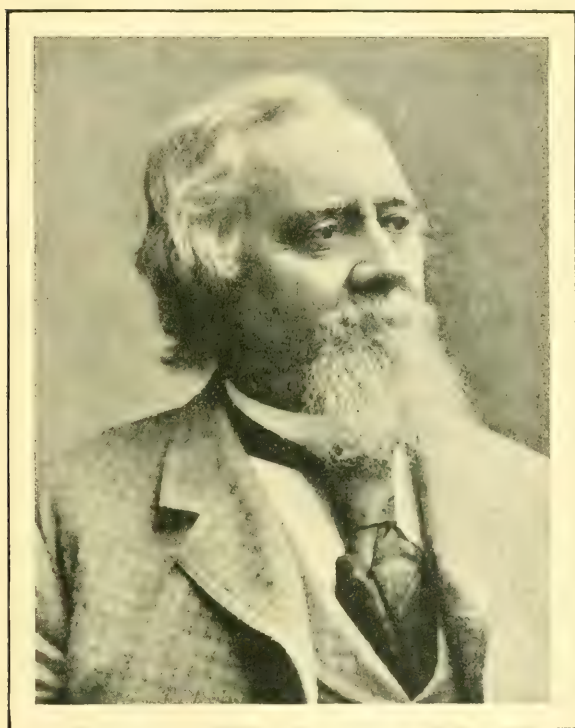
"Like the Borealis Race
That flit ere you can point their place,"

it shone with varying brilliancy for a few issues, and then flickered out forever.

EDWARD ELDRIDGE.

This early pioneer of Whatcom County was born at St. Andrews, Scotland, in 1828. He came to San Francisco in 1849 as a common sailor. After working for a time in the mines in California, and subsequently on the Pacific Mail Steamer Tennessee, he came to the Sound in 1853 with Captain Roeder, and located a claim on Bellingham Bay. At that time the only residents on the harbor were the twelve men who were building Captain Roeder's mill. During the Indian war he served in Captain Peabody's company. He was frequently a member of the territorial legislature, and in 1866-67 was speaker of the House of Representatives. He was a member of the constitutional convention which met at Walla Walla in 1878, as well as of that which met at Olympia in 1889, and made the Constitution under which the State was admitted to the Union.





Victoria had one decided advantage over Whatcom, from the first, in this excitement; it was the seat of the colonial government, and the gold hunters soon found themselves obliged to go there to get their licenses.

Even those who were induced to go there first, by the representations of the agents for various ships and steamboats, that they could walk from there to Whatcom in six hours, over a well-beaten trail, were not so very greatly wronged thereby. Governor Douglass had long anticipated that gold would be found along or beyond the boundary. Traces of it had been noticed on the upper waters of the Columbia, long before the prospectors were attracted to the Colville region in 1858. It had been talked of in Whitman's time, and Governor Stevens's surveying parties had found "indications" along their route at various points west of the mountains in 1853.

As early as 1856, Governor Douglass had reported these discoveries to the British foreign office, and had suggested a tax on miners, with a military force to collect it, but the foreign office had not thought well of it, and had done nothing. In the year following, he had written again, and again had received no encouragement. But he did not for that reason cease to keep the government advised of what was going on. In December 1857 he wrote that "The auriferous character of the country is becoming more extensively developed, through the exertions of the native Indian tribes, who have tasted the sweets of goldfinding, and are devoting much of their time and attention to that pursuit. The reported wealth of the mines is causing much excitement among the population of the United States territories of Washington and Oregon, and I have no doubt that a great number of people from those territories will be attracted thither, with the return of fine weather in the spring."

There was not at that time any excitement among the people of Washington or Oregon, about the mines to which the governor referred. Probably not one of them had heard of them, for it was not until the day after this dispatch was written, that the governor issued the proclamation which he caused to be published in the "Pioneer and Democrat," as a paid advertisement, for several successive weeks. But the advertisement, and the finding of gold, after its publication or before, caused the stampede for which the governor had been so long preparing. But he had not gained the authority to tax the miners and control the trade which their coming was bringing with them, as he had expected, and he accordingly acted without it.

On May 8th, when the rush of goldhunters was just beginning, he issued a second proclamation, forbidding all boats and vessels, except those of the Hudson's Bay Company, to trade into Fraser River, without permission first obtained at the customhouse in Victoria. Such permission could only be obtained by agreeing to procure goods only from the Hudson's Bay Company, and that no arms, ammunition or utensils of war should be carried up the river except from the United Kingdom. No passengers were to be carried, except those who had licenses from the government of Vancouver Island, and everybody was forbidden to trench on the right of the Hudson's Bay Company to the exclusive trade with the Indians. Duties on American goods, carried in by the miners themselves, by way of Whatcom, were made prohibitory. After fourteen days from the date of the proclamation, any boats violating or disregarding it were to be confiscated, and the warship *Satellite* was sent to cruise near the mouth of the Fraser to enforce it. "I am striving to legalize the entrance of goldminers

into the Fraser River country," the governor wrote to his superiors in London, "on certain conditions, which at once assert the rights of the crown, protect the interests of the Hudson's Bay Company, and are intended to draw the whole trade of the gold district through Fraser River to this colony, which will procure its supplies directly from the mother country." To carry out these purposes he proposed to the Pacific Mail Steamship Company that it place the necessary steamers on the river, to run from its mouth to the falls: that these should carry the Hudson's Bay Company's freight, and such other freight as it permitted to be shipped into the country, and no other, and that it pay the Hudson's Bay Company \$2 for each passenger carried.

But the British government was not disposed to look with favor on the governor's plans for enriching the ancient monopoly he had so long and so well served. His proclamation was disapproved, and he was quietly reminded that his authority as governor was strictly confined to Vancouver Island, although the steps he had taken to prevent the landing at Fraser River, of goods prohibited by the English custom's laws, was approved. He was instructed as to the terms on which foreigners would be permitted to navigate the river and land passengers and goods, and was also emphatically warned against using his power as governor, to enlarge the pretensions of the Hudson's Bay Company, to rights upon which it had no claim. That company was doing business in the country under a license, "under which it is entitled to the exclusive trade with the Indians, and possesses no other rights or privileges whatever."

The license of the Company referred to was about to terminate, but the government, under its authority, revoked it at once. It had been willing enough to protect and

encourage its pretensions while operating under license in the disputed territory along the Columbia River, where the rights of American settlers only were interfered with, but, now that they interfered with the rights of people who were going into territory in which its own sovereignty was supreme and undisputed, it was quite another matter. It had stood also for its claim to compensation for loss of trade, and for improvements made, and even for lands claimed in what became American territory under the treaty of 1846, but it recognized no claim of this sort in territory north of the forty-ninth parallel. "The Company's private property," said the minister, "will be protected, in common with that of her Majesty's other subjects, but they have no claim whatever for the loss of their exclusive trade, which they only possessed subject to the right of revocation."

A new province known as British Columbia was now created, and the governorship was tendered to Douglass, on condition that he sever his connection with the Company, and this he accepted.

But before the governor learned that his plans for securing so great a share of the advantages from this rush of gold hunters in British territory, had been disapproved by his superior, the excitement began to wane. By the last of July miners began to return along the trails, with most discouraging news. The gold-bearing bars of the Fraser were not of large extent. The beds of tributary and neighboring streams yielded no cheering signs for the prospector. The claims that were worth working were soon taken up. There was nothing, therefore, for many of the gold-seekers to do but to return whence they came, or turn their attention to some other employment, and this many of them did.

But the tide had set so strongly toward the Fraser that it was not possible to stop it at once. People had started for it, not alone from Washington, California and Oregon, but from the Eastern States, from Europe, from Australia, from China, in fact from all parts of the world. It was estimated that from seventy-five thousand to one hundred thousand people came into Washington and British Columbia during the summer of 1858 alone. Many of these returned home again, but some remained. Some found, to their surprise perhaps, that even Mr. Benton, so well informed and so accurate as he usually was in regard to all matters pertaining to the West, was mistaken in regard to the value of the Fraser River Valley and Vancouver's Island. Instead of being barren and worthless regions, they were among the most fertile portions of the globe, and accepting what Nature everywhere so generously offered, they gave up the search for gold in the shifting sands of the river bottoms, and sought it in the fertile soil that lay everywhere around them, on both sides of the boundary. And so it was that both British Columbia and Washington received large accessions to their permanent population from this brief gold-hunting frenzy.

It was in the year following this mining excitement, that the killing of a pig on San Juan Island came so near involving two great countries in war. This island, and all the others which now compose San Juan County, had always been claimed by the United States, under the treaty of 1846, in which the boundary had been defined as the forty-ninth parallel "to the middle of the channel which separates the continent from Vancouver's Island; thence southerly through the middle of said channel, and of Fuca's Strait to the Pacific Ocean." But as Great Britain had found means

to set up a claim to all of Oregon at one time, and had finally yielded until it claimed only that part of it lying north of the Columbia, it had now retreated to this archipelago in the Gulf of Georgia, and here made another stand. To such small compass had its pretensions shrunk.

The claim was not boldly put forth at first. It was scarcely more than hinted at. The Hudson's Bay Company, of which James Douglass was still chief factor and supreme head on the coast, as well as governor of Vancouver, had sent some flocks of sheep over to the island in 1853, under the care of herders, and so assumed possession without asserting it. In the following May, Colonel Ebey, then collector of customs for the district of Puget Sound, was making a tour through the islands, in pursuance of his official duties, and incidently making some inquiry into the cause of Indian troubles which were threatening from that direction, and found these sheep. As their arrival on the island had not been reported to his office, and no duty had been paid on them, they seemed to require his official attention, if he was right in supposing that they were on American soil.

At this point he was met by Charles James Griffin, who informed him that he was a justice of the peace, and had come in the name of Governor Douglass to ask the nature of his visit. The colonel declined to answer questions, and on the following day the Hudson's Bay Company's steamer Otter arrived, bringing Captain Sangster, the old-time commander of the Cadborough, but now the British collector of customs at Victoria, who, on coming ashore, demanded, rather more authoritatively than Griffin had done, to know the reason for Ebey's visit. Ebey replied that he was on official business, as collector of the district of Puget Sound.

To this Sangster responded that he should seize all vessels, and arrest all persons found navigating the waters west of Rosario Strait, and north of the middle line of the Strait of Fuca, without proper authority from his government, and Ebey retorted that a revenue officer would be established on the island to enforce the laws of the United States, and expressed the hope that in the performance of his duties, the officer so left would not meet with any persons so rash as to interfere with him, under the pretense that he was an officer of the British, or colonial, government. He accordingly appointed Captain Henry Webber as inspector on the island, and gave him his instructions in the presence of Sangster, who threatened to arrest him, in case he made any effort to exercise the functions of his office, but he never did so.

Here the incident, so far as any contention among the revenue officers was concerned, appears to have ended, but in the following year, 1855, the assessor of Whatcom County found the sheep, and assessed them, and as payment of taxes was refused, on the ground that the sheep were in British and not American territory, some of them were seized and sold, and so an international issue was raised, though it did not immediately assume an aspect of importance.

Soon after the boundary treaty was signed in 1846, George Bancroft, the historian, who was secretary of the navy in President Polk's cabinet, appears to have suspected that trouble might arise out of the indefinite description of that part of the boundary line lying along "the middle of the channel which separates the continent from Vancouver Island," and accordingly he had a copy of Wilkes' chart of the Haro Channel made for the use of the navy department. Shortly afterwards he became minister to England,

which position he held from 1846 to 1849. In order that he might be prepared to meet any question that might arise, he asked the secretary of state to give him such instructions as he would require, in case this boundary should call for his attention, and also to provide him with a copy of the map he had had made while secretary of the navy. These were furnished, but, no opportunity arising to make use of them, he took occasion to speak to Lord Palmerston about the matter, and to leave him a copy of the map, with others, and a note in which he was careful to say, "by combining two of the maps, your Lordship will readily trace the whole course of the Channel of Haro, through the waters of which the boundary line passes." This was the first formal assertion, on our part, of the Haro Channel as the boundary, and it was fortunate for us that it was asserted thus early, and before any attempt had been made on either side to claim actual possession.

In 1848, Mr. Crompton, the British minister in Washington under instructions from his government, made a proposition to our state department, to appoint commissioners to determine the boundary line through the archipelago, but the instructions he proposed to give them were such as to leave them nothing to do but run the line through a channel which would give the islands to Great Britain. His proposition, therefore, was not accepted.

Four years later, and before the territory of Washington was organized, the Oregon legislature included San Juan Island in one of its northern counties, and it was subsequent to this that the Hudson's Bay Company began to establish itself on San Juan.

The seizure and sale of the Hudson's Bay Company's sheep led to a correspondence between Governor Douglass

and Governor Stevens, in which the former declared that he had instructions from her Majesty's government, to claim the islands as British territory, and in time this correspondence was referred to London and Washington, and the British minister presented a claim of the Hudson's Bay Company for damages on account of the seizure of its property. At the same time he renewed his suggestions that a commission be created to determine definitely the location of the boundary line. The commission was authorized, by act of Congress approved August 11, 1856, and in due time two commissioners were appointed, one representing each nation, for this duty. But the instructions to the British commissioner, like those given to Lord Ashburton in 1842, made it impossible for him to consent to fix the line in the Haro Channel, even if investigation should show that it really belonged there. He was to insist that it lay in Rosario Strait, and if he could not induce the American commissioner to consent to this, he might propose an intermediate channel, but that was the limit of his discretion in the matter. The commission, therefore, accomplished nothing so far as this part of the boundary was concerned.

The inhabitants of the island, both British and American, and the two sets of revenue and other officials appear to have got along together peaceably enough, after the seizure and sale of the sheep in 1855, until June 1859. Mr. Marcy, secretary of state in President Pierce's cabinet, had written Governor Stevens, in regard to the sheep incident, that "the officers of the territory should abstain from all acts on the disputed grounds which are calculated to provoke any conflicts, so far as it can be done without implying the concession to the authority of Great Britain of any exclusive right over the premises. The title ought to be settled before either

party should exclude the other by force, or exercise complete and sovereign rights within the fairly disputed limits." This advice appears to have been accepted by the settlers, as well as the officials, until the 15th of June, 1859, when the pig was killed. It was a worthless creature, apparently belonging to Justice Griffin himself, and it sometimes invaded the garden of one Lyman A. Cutler, who had recently taken a claim on the island, under the preëmption law. He shot it, and immediately reported what he had done to the owner, offering to pay twice its value at the same time. This was refused by Griffin, who showed a good deal of temper, and demanded \$100. This Cutler declared was ten times the value of the hog, and would not pay it. That afternoon he was called upon by Mr. Dallas, who was Governor Douglass's son-in-law, and a high official of the Hudson's Bay Company, who had just arrived on the island in her Majesty's ship *Satellite*, and Dr. Tolmie and Mr. Fraser, who happened to be on the island at the time, when Mr. Dallas lectured him severely for destroying the property of a British subject, on British ground, and threatened to arrest him and take him to Victoria to be tried for his offense. Cutler, doubtless thinking himself menaced by a functionary who had the British navy at his back, told him if he attempted this he would shoot him, and would have other Americans to help defend him, and at the same time he reached for his rifle as if he meant to carry his threat into effect immediately. Mr. Dallas and his party then left and Cutler was not further molested.

The matter, however, was soon after reported to General Harney, who had now taken command of the new military district of Oregon, with headquarters at Vancouver. About the same time he also received a petition, signed by twenty-

two Americans residing on the island, informing him that the house of the inspector of customs on the island had recently been fired into by a party of Indians; that the bodies of two white men, apparently Americans, who had been murdered by Indians, had recently been found on the beach; that another settler had been shot in broad daylight, and still more recently the body of a white man was found on the beach, who had evidently been the victim of foul play. These crimes had been committed by the Clallams, living on the islands, or by the warlike northern Indians, from whose incursions the settlers were in constant danger, and they therefore asked that a military force, sufficient for their protection, might be stationed on the island.

While there is no doubt that these inhabitants were constantly exposed to the depredations of Indians, particularly those from the north, there is not much doubt that they were now far more anxious to have troops sent to assert American authority on the island, than to protect them against savages.

Before receiving this petition, General Harney had made a visit to Governor Douglass at Victoria, and had also stopped at the island, where he had doubtless conferred with the settlers, and learned from them directly of the annoyances and embarrassments to which they were subjected. On his way back to Vancouver, he had dined with Governor Stevens, who had only recently returned to the territory to seek reëlection as delegate in Congress. What conference they had together about this matter, which was now so fully occupying the attention of the general, there is no record to show, but as both were military men by education, and one had now for more than six years been intimately connected with civil affairs, was now a delegate in Congress,

and had long held clearly defined and rather radical views in regard to the Hudson's Bay Company, and its relations to American settlers and their interests, it may well be believed that the policy which ought to be pursued in the matter now occupying General Harney's attention, was fully and earnestly considered, and that Stevens advised a bold and aggressive one. At any rate, soon after reaching his headquarters, Harney ordered Captain George E. Pickett, then stationed with Company D, 9th infantry, in the blockhouse which had been built during the Indian war at Bellingham Bay, to remove to and establish his company on San Juan Island, "in some suitable position near its southern extremity," which would be near Friday Harbor. The object of this removal was "to protect the inhabitants of the island from the incursions of the northern Indians." But he was also to have a "more serious and important duty," and that was "to afford adequate protection to the American citizens in their rights as such, and to resist all attempts at interference by the British authorities residing on Vancouver Island, by intimidation or force," in the controversies arising out of the conflict of the settlers' interests with those of the Hudson's Bay Company. In case a second threat were made, to seize an American citizen and carry him to Victoria for trial, on any pretense, he was "to meet the authorities from Victoria at once, and inform them they cannot be permitted to interfere with our citizens in any way. Any grievance they may allege as requiring redress can only be examined under our own laws, to which they must submit their claims in proper form."

On the same date, July 18th, Colonel Casey was informed that Major Haller's company had been ordered from Port Townsend, and that he might send it or another company

GENERAL GEORGE E. PICKETT.

The confederate general who led the grand charge at Gettysburg. As a captain in the 9th U. S. Infantry he served several years in the territory and in 1859 took and held possession of San Juan Island.





to San Juan, by the steamer *Massachusetts*, which was placed at his disposal for that purpose, after which she was to cruise among the islands, "for the better protection of the settlers."

Captain Pickett acted promptly, and arrived on the island July 29th. On the 30th Justice Griffin, who was also an agent of the Hudson's Bay Company, served him with formal notice that he was on Hudson's Bay Company's property, and requested that he and his party would immediately vacate the same, or he would feel bound to apply to the civil authorities. He was next summoned before a civil magistrate, but did not go, and then, on the morning of August 3d, three warships from Victoria—the *Tribune*, *Plumper* and *Satellite*—were anchored in the harbor, and he was invited to a conference with their officers. This he declined, but replied that he would be glad to receive the officers of the ships, or any of them, in his camp. The three captains accepted his invitation, and a conference followed in which Pickett was asked why he had taken up his position on the island, which was claimed by both governments, and he replied that he had come by order of his commanding general, and as he supposed in pursuance of instructions from the president, to protect it as part of the United States territory. The officers then presented him with a copy of the proclamation of Governor Douglass, issued the day preceding, protesting against the presence of his soldiers on the island, and suggested that it would necessitate similar occupancy by British soldiers, which would involve imminent risk of a collision, unless an arrangement for joint military occupation were first made. But Pickett replied that he had no authority to arrange for joint occupation, and suggested a reference of the matter to General Harney and

Governor Douglass. Captain Hornby, who spoke for the British officers, then suggested that his proposition was in accord, as he thought, with the tenor of Secretary Marcy's letter to Governor Stevens in 1855, which he had previously referred to, while Pickett's position offered no security against the occurrence of some event that would further embarrass matters. He also claimed that in landing an armed force in disputed territory, pending the settlement of the question of title in the usual way, without warning, and without giving the person in command discretionary power to make such arrangements as he had proposed, the United States and its officers alone must be held responsible for any consequence that might result, either immediate or future.

At Pickett's request, Captain Hornby put the substance of their interview in writing, and closed the letter by saying, "I reserve to myself, in the event of your non-acceptance, entire liberty of action, either for the protection of British subjects and property, or of our claims to the sovereignty of the island, until they are settled by the Northwest Boundary Commission now existing, or by the respective government."

To this Pickett replied that, being under orders from his government, he could not allow any joint occupation until directed to do so by his superior officer, and "that any attempt to make such occupation as you propose, before I can communicate with General Harney, will be bringing on a collision, which can be avoided by awaiting this issue," and he thought no discredit would be reflected upon either party, or their flags, by remaining in their then positions until those higher in authority could be heard from.

Pickett's course thus far was bold, but tactful. "They have a force so much superior to mine," he wrote Harney, that evening, "that I shall be merely a mouthful for them;

still I have informed them that I am here by order of my commanding general, and will maintain my position, if possible." He also added: "The excitement in Victoria and here is tremendous. I suppose some five hundred people have visited us. I have had to use a great deal of my peace-making disposition, in order to restrain some of the sovereigns."

Under the circumstances, his diplomacy is certainly to be commended, for if he had Harney's temper—if we may judge by the letter sent to Governor Douglass three days later, in reply to his protest—he would doubtless have precipitated a conflict. In that letter General Harney said: "I placed a military command upon the island of San Juan to protect the American citizens residing on that island, from the insults and indignities which the British authorities of Vancouver Island, and the establishment of the Hudson's Bay Company, recently offered them by sending a British ship-of-war from Vancouver's Island, to convey the chief factor of the Hudson's Bay Company to San Juan, for the purpose of seizing an American citizen, and forcibly transporting him to Vancouver's Island, to be tried by British laws. . . . I have the honor to inform your excellency, that I shall not permit a repetition of that insult, and shall retain a command on San Juan to protect its citizens, in the name of the United States, until I receive further orders from my government."

On August 8th, Harney authorized Colonel Casey, who was still in command at Fort Steilacoom, and who was Pickett's immediate superior, "to strengthen his position on San Juan Island, by four companies of the 3d artillery, should he think this necessary, and to remove thither so much of the supplies then at Bellingham and Port Townsend, as might seem to be required."

Casey left Steilacoom by the steamer Julia, on the 9th, and shortly afterwards met the Active, whose captain advised him not to attempt to land any reinforcement on the island, as that would almost certainly precipitate a conflict. The Tribune, he said, was lying in the harbor with her fires up, and her broadside to Pickett's camp, and he believed her intention was to begin an attack at the least sign of a hostile demonstration on our part. But notwithstanding this warning, Casey proceeded to carry out his orders. He left Port Townsend about 12 o'clock that night, intending, as he says, to reach the island early on the morning of the 10th, but a thick fog came up and so delayed his progress that the island was not reached until about 7 o'clock. Then finding himself near Pickett's camp, at a favorable place for landing his men and cannon, and the captain of the steamer complaining of the fog, and of the fact that the tide was so low that he would probably not be able to make the landing in the harbor, he determined to land where he was, and this he did. Then taking his adjutant, and a small guard for the ammunition and stores he had on board, he proceeded to the harbor. There he found the Tribune lying as had been described, with "several hundred" sailors, marines, members of the royal artillery and sappers and miners on board, but no opposition was offered to the landing of his freight. "Whether they would have interfered with the landing of the troops, I cannot say," says Casey in his report. "It is Captain Pickett's opinion that they would."

Before Casey landed, he received a hurried message from Pickett, asking him to come immediately to his camp. On arriving there, Pickett pointed out to him a British war-steamer, which he had not before seen, and which appeared to be taking position to shell the camp. This was the Satellite,

which had apparently just arrived. The Tribune was in position, with broadside to the camp, and could open fire at any moment. Pickett, having long been looking for an attack from this direction, was prepared to "fire on the ship with his howitzers, then spike them, deliver a volley with his musketry, and retreat to the woods," but now that both sides had received reinforcements, it was not clear what ought to be done, and Casey, having just arrived on the ground, had no plan formed. But seeing the imminent danger of a collision, that would surely lead to war, whichever way it might terminate, he resolved to make an effort to avert it, and sent an officer on board the Tribune to request Captain Hornby to meet him in his camp. The captain replied that "he was much engaged at the time, but would come if he could conveniently," and in a few hours he came, accompanied by Captain Prevost and Mr. Archibald Campbell, the British and American boundary commissioners.

"I informed Captain Hornby," says Colonel Casey, "that I had landed that morning, with a force of United States troops, and explained to him the reason why I had not landed them at the wharf, under the guns of the frigate. I also said that I regretted that Captain Pickett had been so much harassed and threatened in the position he had occupied."

He then asked the captain who the officer highest in command was, and where he could be found, and was informed that Admiral Baynes was in command, and that he was at Esquimault, on board his flagship the Ganges. Casey expressed a wish to have a conference with him, and indicated that he would go to Esquimault for that purpose on the following day, if circumstances permitted, and at this, "both the captain and the British commissioner seemed pleased," he says. Next morning, accompanied by Captain Pickett,

both in full uniform, he left the island for Esquimaux, on the revenue cutter Shubrick, and arriving there, sent a note to Admiral Baynes, requesting an interview on board the Shubrick. The admiral replied that he would be glad to receive Colonel Casey on board the Ganges. To this Colonel Casey replied, expressing his regret that circumstances prevented Rear Admiral Baynes from accepting his invitation to meet him on the Shubrick, and sent Captain Pickett to deliver the note in person. Governor Douglass happened to be on board the Ganges at the time, and after reading the note, the admiral passed it to him. As a colonial governor, he was the admiral's superior officer, while his ship was in a harbor of his colony, and he inquired if Colonel Casey knew that he was on board. To this Pickett replied that he had no reason to suppose he did, but that the colonel had not sought an interview with him, but with the admiral. He also informed the admiral that the Shubrick was then firing up and making ready to sail, but that Colonel Casey would be happy to see him if he should consent to a conference. The admiral would not go to the Shubrick, but expressed his willingness to receive the colonel on board his own ship, but Casey, thinking he had carried official courtesy far enough, "by going twenty-five miles to see a gentleman who was disinclined to come one hundred yards to see me," declined to go, and sailed away.

In his report he says he intended in case the admiral would give his pledge that no threats should be made, or molestation given by the force under his command, for the purpose of preventing Captain Pickett from carrying out his orders and instructions, to propose to him that he would recommend the withdrawal of the reinforcements recently landed on the island, and that affairs should remain as they

were until the sovereign authorities should announce their intentions.

On the morning after his return from this interview, Major Haller arrived with his company at San Juan. This was a further cause of irritation to the British officers, but in view of what had already taken place no resistance was made to their landing.

For many years afterwards Colonel Haller was of the opinion that this was the crucial moment in the controversy, and that a conflict would certainly have been precipitated, but for the fact that he happened to have received some copies of newspapers, of later date than any of the British officers had seen, just before he started for the island. These contained reports of the battle of Solferino, of which they had not heard. He mentioned the matter to some of the officers who had accompanied Hornby on shore, while he and Casey were conferring together, and gave them the papers, and immediately a marked change in their conduct and bearing was noticeable. Nobody in their situation could foresee what effect the issue of such a battle might have on the peace of Europe. It might be that Great Britain was at the moment in a position where a controversy over such a matter as the title to so small an island as San Juan would be very embarrassing to her, and for that reason, in Haller's opinion, Hornby and those about him chose, for the moment, the conservative course.

Haller also strongly suspected that Harney was aware of the plans of the conspirators who were already preparing for secession, and that his aggressive policy, and the selection of Pickett in preference to other officers of equal or higher rank, to command on San Juan, was prompted by a hope of bringing on a war with England that would embarrass our

national government, and so aid the conspirators. But there is no sufficient ground for such a belief. Harney, although Southern born, was not a traitor at heart. It is true that his conduct at the beginning of the war, was not such as to inspire confidence in his loyalty, and he thereby lost a great opportunity. He was the only brigadier-general in the regular service at that time, except Wool, who did not go over to the enemy. With such an advantage at the start, it would seem that he should have won more distinction, when majors like George H. Thomas, Robert Anderson and E. R. S. Canby, who like himself were from Southern States, won immortal fame by their aggressive loyalty. His conduct in 1861 was not as uncompromisingly loyal as theirs was, but there was and is no reason to suspect it in 1859. If there were no other reason, his intimacy with Stevens, and the fact that he sought and undoubtedly enjoyed his confidence and counsel during the time when his responsibility was greatest, would be sufficient proof that he was not then plotting to overthrow his government.

There is still another reason for believing that he was not in the confidence of the conspirators, or working to further the undertaking for which they were preparing, and that is that the war department, of which Floyd, one of the most unscrupulous of their number, was then the head, did not encourage or very cordially support him in the step he had taken. Mr. Floyd himself took no part in the correspondence, as he would almost certainly have done if the plotters of secession had been at all concerned about the matter. Mr. Drinkard, his assistant, wrote General Harney on September 3d that "the president was not prepared to learn that you had ordered military possession to be taken of San Juan Island. . . . In cases respecting territory in dispute

between friendly nations, it is usual to suffer the status of the parties to remain until the dispute is terminated, one way or the other, and this more especially, whilst the question is pending for decision before a joint commission of the two governments. If you had good reason to believe that the colonial authorities of Great Britain were about to disturb the status, by taking possession of the island, and assuming jurisdiction over it, you were in the right to anticipate their action. . . . The president will not, for the present, form any decided opinion upon your course, on the statement of facts presented in your dispatch."

This certainly was not the sort of approval General Harney would have been entitled to expect, and would most certainly have received from Floyd, if he had been endeavoring to bring on a war with Great Britain, to aid the secessionists.

The Buchanan administration, notably the weakest in our history, made haste to relieve Harney of responsibility, and by means which Buchanan, himself an experienced diplomat, would have been least expected to resort to. Instead of taking the matter up with the British minister in Washington, where negotiation could be conducted by the secretary of state under his own immediate direction, or of directing the American minister to take it up with the authorities in London, which would have been the usual method, General Scott, who was then at the head of the army, was dispatched to the coast, with instructions from the war department to propose almost the exact terms the British officers had offered from the first. "The president perceives no objection to the plan proposed by Captain Hornby, of her Majesty's ship *Tribune*, to Captain Pickett," says Mr. Drinkard, in his letter of instruction to the general, "it being understood that Captain Pickett's company shall

remain on the island, to resist, if need be, the incursions of the northern Indians on our frontier settlements, and to afford protection to American citizens resident thereon. In any arrangement which may be made for joint occupation, American citizens must be placed on a footing equally favorable with that of British subjects."

If an actual collision should have occurred before the general arrived on the ground, the assistant secretary realized that the situation would be greatly complicated, particularly if blood had been shed. It was difficult to give such instructions as ought to govern in such an event, but the assistant secretary thought "it would still be your duty, if this can, in your opinion, be honorably done, under the circumstance, to establish a temporary joint occupation of the island, giving to neither party temporary advantage over the other."

It has been customary to criticize or mildly censure General Scott for arranging the joint military occupation of the island, which continued for something more than a dozen years, or until the question of title was finally settled, and the boundary fixed in the De Haro Channel, by an arbitrator, the Emperor William of Germany, in 1871; but it is clear, from the instructions given him, that this is what he was sent to do, and that he could hardly be expected to do anything else.

Upon arriving on the Sound, General Scott addressed a letter to Governor Douglass, under date of October 25th, proposing that each government should occupy a separate portion of the island, with a detachment of infantry, riflemen or marines, not exceeding one hundred men, "for the equal protection of their respective countrymen in their persons and property, and to repel any descent on the part of hostile

Indians," and that such occupation should be without prejudice to the claims of either party. Governor Douglass did not feel authorized to accept this proposition, without referring it to his government, but in time it was accepted, and the joint occupation so arranged continued until the dispute was finally settled.

By the treaty of Washington, concluded on the 8th of May 1871, all matters of difference between the United States and Great Britain were adjusted, except this, and by the 34th article of that treaty, this boundary question was referred "to the arbitration and award of his Majesty the Emperor of Germany," whose decision was to be final and without appeal. At that time the United States was again fortunate in having Mr. George Bancroft, the statesman and historian who had been so familiar with this boundary matter from President Polk's time, and who was now more than seventy-one years old, as its minister at the imperial court. He addressed a letter to the emperor, in which he pointed out that all the sixteen members of the British cabinet who had helped to form the treaty, the British minister who signed it, and all the American statesman concerned in it, except one, and that one himself, were dead. "I alone remain," he said, "and after finishing the three score years and ten that are the days of our years, am selected by my country to uphold its rights." Six times arbitration had been offered, as a means of settling the dispute about our northern boundary, and six times we had refused it. In closing this most diplomatic letter, Mr. Bancroft made this most wise and useful suggestion: "The case involves questions of geography, of history and of international law; and we are glad that the discussion should be held in the midst of a nation whose sons have been trained in those sciences by

a Carl Ritter, a Ranke and a Heffter." The suggestion thus cleverly made, the old emperor evidently followed, for he consulted and obtained opinions upon the question from three eminent specialists on international law, in history and geography, and these were Dr. Grimm, vice-president of the supreme court at Berlin, Dr. Kiepert, a pupil of Carl Ritter, and Dr. Goldschmidt, a member of the Superior Commercial Court at Leipsic. He is also said to have caused a survey to be made, or at least to have had the depth of the several channels taken into account, by which means it was clearly shown that the Haro Channel, being the deepest, the greatest volume of water flowed through it, and therefore there could be no doubt that it was the main channel.

Reviewing the controversy at the present time it seems almost remarkable that a conflict was avoided, particularly at two or three critical moments. When Pickett landed on the island his whole company amounted to only 66 men, and it is not entirely clear that all these were with him. Within a few hours after landing he was confronted by three British ships-of-war with a total of 775 men and 62 guns. These ships anchored within easy range, with their broad-sides to his camp, and so remained while their officers and he were in conference, and long after. Probably their very strength made their officers more conservative than they otherwise would have been, though Pickett's firmness and tact are to be credited in a large degree, with the happy outcome of the interview. With his vastly superior force and armament, Hornby would naturally be reluctant to attack a brave man in so desperate a situation, who was simply carrying out the orders of his superior. He would be certain to be so, unless certain that he was in the right, and this he could not have been at that time.

Another critical moment was when Casey landed his reinforcements. It is to be doubted whether the fog and the low tide, which compelled him to land before reaching the harbor, and without announcing his arrival, were really favorable circumstances, since it would have been easy to construe his action, had it been discovered while the troops were landing, into a clandestine attack, or a movement preparatory for something of that kind, which would have gone far to excuse forcible resistance, if it had been offered. The landing, thus made, was evidently made at a most opportune time, since the *Satellite*, another ship with 326 men and 21 guns, arrived almost immediately after. Had she appeared while Casey's men were debarking, or had Casey encountered her before reaching the island, serious consequences might have followed. It seems probable also that a collision was only averted after Casey had reached the harbor, by his prompt explanation of the reasons which had compelled him to land as he had done.

The reinforcements brought at this time, and those which arrived subsequently, increased the force on the island to 461 men, with eight 32-pound guns taken from the *Massachusetts*, one 6-pound and three mountain howitzers. Supplies for three months, and a sufficient quantity of ammunition for all arms, were also landed. Fortifications were thrown up, and by the last of August Harney was able to inform the adjutant-general that "the English have no force that they could land, which would be able to dislodge Colonel Casey's command as now posted."

The British ships then in or near the straits were the *Ganges*, *Tribune*, *Pylades*, *Satellite* and *Plumper*, carrying 1,940 men and 167 guns.

The people of the territory took a lively interest in the controversy, so long as it was doubtful what the result would be, and not a few of them were ready to take a part in it should it become necessary. On August 7th, General Harney wrote Governor Gholson, who by that time had succeeded McMullin, enclosing a copy of his order to Colonel Casey, the proclamation of Governor Douglass, and his reply to the same, and informing him that he had authorized Casey to call for volunteers in case he should think it necessary. To this the governor replied that "your just expectations of the course to be pursued by myself shall not be disappointed, and that in such an event, I have an abiding faith that the citizens of this territory will, with enthusiastic alacrity, respond to any call necessary for the defense of individual rights; the rights of their country, or their country's honor."

The position of Governor Douglass, a weak one to begin with, was much weakened and embarrassed by the action of those who represented him at the beginning of the controversy. Captain Prevost, the British boundary commissioner, could find no stronger ground on which to base the British claim to the island, than that the language of the treaty was that the boundary line should run through the channel separating "the continent from Vancouver Island," instead of the usual form of language, by which the smaller body would have been separated from the larger. It was also shown in support of this claim that the British negotiator, in preparing a form of treaty, had at first used language which expressly fixed the line in the Haro Channel, but had subsequently substituted the language quoted, a fact which, as Judge Hanford has well said, proves, if it proves anything, that the negotiator had the Canal De Haro in mind as the

proper boundary, if the British were to be permitted to hold all of Vancouver Island.* It was fortunate for Douglass, too, that he had for a long time exercised the functions of Chief Factor of the Hudson's Bay Company, as well as those of governor, and he had been rather sharply reminded during the preceding year, in the Fraser River matter, that he had not always clearly distinguished the one from the other. He did not readily lay aside his sense of responsibility for the interests of the Company, but the long exercise of autocratic authority, as its chief executive officer, had not unfitted him to govern under the limitations of law and the usages of liberal governments. But there were some about him who did not so accurately discriminate, and, unfortunately for him, they had, at the outset, transformed a petty controversy over the killing of a worthless pig into one involving the right of a citizen to the protection of his government. The controversy had been aggravated by the fact that one of these people was closely related to him, and by the further fact that he had gone to the island on board of a British ship-of-war, and returned by the same conveyance. While nothing more than the agents of the Company, they had seemingly spoken in the name of the colonial government, backed by the presence of a British ship-of-war, to make good their threats. Douglass might disavow their connection with his government or his own responsibility for their acts, but he could not expect Harney to know, or the Americans on the island to believe, that the presence of the warship and the agents of the Hudson's Bay Company at the island, at the time of the occurrence complained of, was a purely accidental circumstance.

Nor did the residents on Vancouver Island understand it more readily, or more clearly than those on this side of the

* Address before the Washington Pioneers, June 7, 1899.

line. When the provincial parliament met, a spirited debate occurred over the address in reply to the governor's message, in which some of the speakers expressed a wish to know why the troops were not landed; why were troops and ships sent; and why all this expense and show, if only for parade? "We must defend ourselves," one said, "for the position we occupy today would make the iron monument of Wellington weep, and the stony statue of Nelson bend his brow."

"The house would most earnestly impress upon your excellency," the address said as it was finally adopted, "to enforce upon her Majesty's government the necessity of demanding from the government of the United States, not only the immediate withdrawal of those troops, but also strenuously, and at all risks, to maintain her right to the island in question, and also to all other islands in the same archipelago, now so clandestinely, dishonorably and dishonestly invaded."

But these rhetorical demonstrations on the part of the provincial statesmen ended in nothing serious. They do not appear even to have disturbed the equanimity of the governor, who calmly pursued the course he had marked out for himself from the beginning. The friendly, though not intimate, relations between the people of the territory and those of the colony were not seriously interrupted. Both would, no doubt, have responded promptly to a call to take up arms, but happily there was no occasion for that, and peace soon reigned again, where for a few weeks war had so seriously threatened.

NOTE.—A murder was committed on the island in 1869, while it was still jointly occupied by troops of the United States and Great Britain, and Charles Watts was arrested, indicted and tried at Port Townsend, where he was found guilty and sentenced to death. The indictment charged that the

crime had been committed "at a place within the sole and exclusive jurisdiction of the United States." Upon review of the case, by the supreme court, a majority of the justices—Greene and Kennedy—sustained the contention of defendant's counsel, and held that the prosecution should have been at the suit of the territory, and not at the suit of the United States, and the accused was remanded for another trial. From this ruling Chief Justice Jacobs dissented. Watts was again tried in February 1872, under an indictment charging him with murder committed in the county of Whatcom. He was again convicted and sentenced to death, and his counsel again appealed, claiming that at the time the murder was committed, San Juan Island was not within the civil jurisdiction of the courts of Washington Territory. This time the court unanimously affirmed the finding of the court below and Watts was executed.

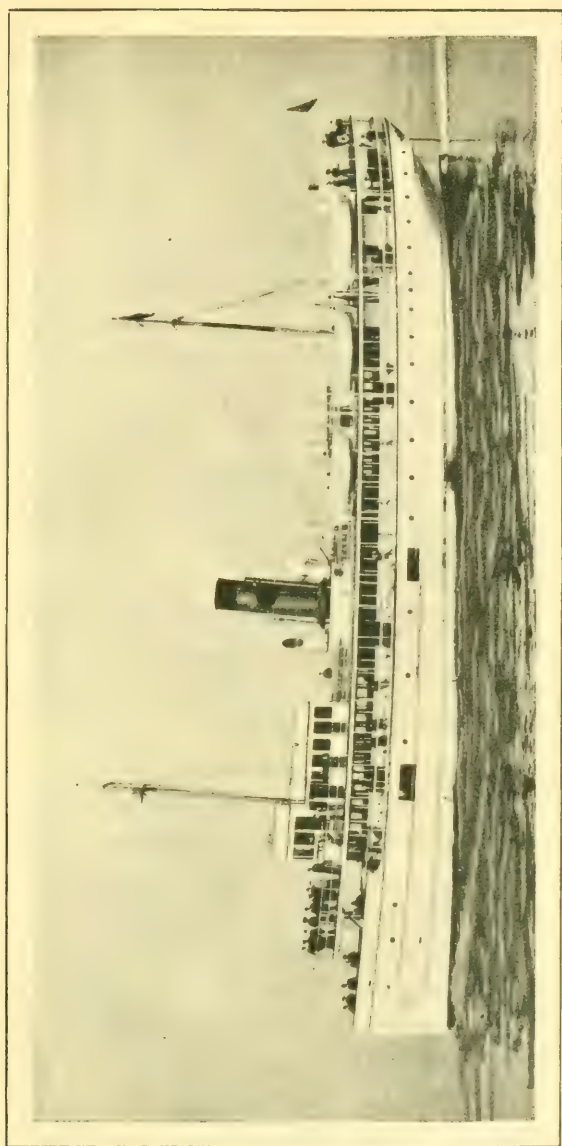
CHAPTER LI.

EARLY SETTLERS IN EASTERN WASHINGTON.

STEAMER INDIANAPOLIS

One of the modern steamboats plying on the Sound.







SHORTLY after the close of Colonel Wright's successful campaign against the Indians, in September, 1858, General Clarke rescinded Wool's order excluding settlers from the country east of the Cascades, and eastern Washington began at once to regain what it had lost. The first American settlers in the territory had gone there in 1836, but they had all been driven out by the Cayuse war, following the Whitman massacre, and had never been able to return. Ransom Clarke, and possibly one or two other Americans, had taken claims there before the war broke out in 1855, but they, too, had been forced to leave. The small colony of Hudson's Bay people, who had settled along the Walla Walla, and on the Touchet, and Brooke, Bumford & Noble, the cattle-ranchers, had struggled almost heroically to retain their homes, and some part of the little property they had accumulated, but they had been despoiled both by the Indians and the soldiers, during the years of Wool's command, and most of them had been forced to leave the country. Those who had remained were so far impoverished that they were compelled to begin again, with almost as little as when they had first arrived on the ground.

But now that both the Indians and Uncle Sam's army were agreed that the country might be settled, the adventurous pioneers began again to find their way to it. The first who came chose claims along the Walla Walla and its branches, and on the Touchet. Not one of them then, or for a considerable time thereafter, suspected that the hill lands were of any value except for pasture. By the end of 1858 Thomas P. Page, James Foster, Charles Russell, J. C. Smith (better known as Sergeant Smith), Christopher Maier, John Singleton, John A. Simms and Joseph McEvoy had taken claims, and by the end of 1859 there were settlers here

and there along the Touchet, as far as the present city of Dayton in Columbia County.*

In January, 1859, the legislature appointed a new set of county commissioners, and two of them, John Mahan and Walter R. Davis, met in March of that year, on or near the land claim of Lloyd Brooke, which had been designated in the act creating the county in 1854, as the county seat, and completed the organization of the county government. By that time Simms, with the aid of some capital furnished by A. H. Reynolds and Captain F. T. Dent had built a flour mill, and a few merchants and a blacksmith had established themselves in the vicinity. The place had heretofore been variously called Steptoeville and Wailatpu, but in July, 1859, the commissioners formally named it Walla Walla.

Settlement would have gone on as it had been going on—as it has gone on in all new regions, had this one depended only on agriculture and stock-growing for its chief attractions. But it was not to depend on these alone for a very long time, for a gold discovery was soon after made in the Nez Perce country, lying to the eastward, and an army of gold hunters, similar to that which had flocked through Whatcom and Victoria to the Fraser River in 1858, began its march through the village, leaving behind it, as such an army invariably does, its most practical and thrifty members to become its supply agents. As the discovery of gold had hastened the settlement of California, so it was now to hurry the settlement of Idaho and British Columbia, and Washington was also to be a considerable gainer by it.

* Among the settlers who came in 1859, or earlier, were; R. H. Reighart, S. D. Smith, James Galbreath, Lycurgus Jackson, I. T. Reese, E. H. Brown, Wm. B. Kelly, Z. Bonner, J. M. Craigie, Wm. Finch, W. W. Wiseman, W. J. Terry, Wm. McWhirk, J. A. Simons, Thomas Hughes and Augustus Vonhinkle.

A Nez Perce Indian had strayed down into California, a year or two earlier, and had met with Captain E. D. Pierce, an old prospector, to whom he had told a wonderful story. He, and some members of his tribe, had once wandered into a deep canyon in his own country, whose rocky walls rose so high about them on every side as almost to shut out the light of the sun, except at midday. They wandered so far in it that they were obliged to make their camp, and remain during the night. But they did not sleep, for when it had become quite dark they suddenly saw a bright light, like a gleaming beacon, burst out of the rocky wall, and they could not take their eyes off it. They thought it the eye of the Great Spirit, and were very much afraid. When morning came they found that the light had been caused by a very brilliant white stone, like crystal, but it was so firmly fixed in the rock that they could not remove it with their hands, and thinking it some very great medicine, they did not dare to disengage it by force, and so they left it there, and he had never since gone back to look at it.

Believing this wonderfully brilliant stone to be nothing less than a diamond of untold value, the captain resolved to make search for it, and the Indian promised to guide him to the spot where he had seen it. He accordingly started for Walla Walla, which he reached in the fall of 1859, and remained there all winter. In the spring of 1860, with a party of five others, he started for the Nez Perce country, but the Indians wanted no gold hunters or diamond hunters wandering about their reservation, and they ordered the party to leave. As they were compelled to go, Pierce secured a Nez Perce woman for a guide, and passed over the Lo Lo trail, to the north bank of the Clearwater River, where they went into camp, intending to remain a few days to recruit their

animals. Here one of the party, named Bassett, made a test of a panful of gravel, and found three cents' worth of fine gold as the result. This was quite satisfactory, and after making further tests, as satisfying to themselves that gold existed there in paying quantity, they returned to Walla Walla, bringing with them about \$80 in dust.

Sergeant Smith took a deep interest in this discovery. He tried to induce some of the merchants, and other settlers already on the ground, to help him outfit a party to make further explorations, but succeeded only in inducing Simms and his partners to contribute 1,000 pounds of flour. With this slight assistance, and by putting his own credit to a severe test, he managed to outfit fifteen men, with whom he reached the mines in November, 1860. The Indians threatened to make them some trouble at first, but were quieted without much difficulty, and the party spent the early part of the winter in building log cabins for shelter, and in prospecting under the snow. They were successful, and before spring Smith and two other members of the party made their way back to Walla Walla, on snowshoes, bringing with them \$800 in gold dust. This was soon sent down the river to Portland, and thus the Oro Fino gold boom was started.

As soon as the spring of 1861 opened, the rush began. The river steamers and all other means of transportation were taxed to their utmost. Many of the gold seekers brought their outfits from California, or other places where they had been mining; some bought in Portland, but many waited to make their purchases in Walla Walla, where the merchants early made preparations to supply them. All needed something, when they reached this, the last place where supplies could be obtained, and the merchants were soon doing a

thriving trade. New merchants and new stocks of goods appeared to help supply the demand, and within a few months the little village became a thriving town, with all the advantages, accessories and vices of a frontier mining camp.

Among the new enterprises in the town was a printing-office and a weekly newspaper, "The Washington Statesman," whose earlier numbers were eagerly bought by those who were hungering for news from the mines, and they contained information of the most attractive kind. The Salmon River bars were prospected during the summer of 1861, and found to be very rich. One of the earlier reports published by the "Statesman" said that men were realizing \$100 each per day. From one mine owned by Mr. Wiser of Oregon, \$2,680 had been taken out in one day with two rockers, and on the day following, \$3,360 had been rocked out by the same machines.

Although the winter of 1861-62 was the most severe ever known on the coast, of which there is any record, it did not, for a considerable time, put a stop to the onward march of the "gold hunters" as the "Statesman" called them. In its issue of December 13th, it said: "The tide of emigration to Salmon River flows steadily onward. During the week past, not less than 225 pack animals, heavily laden with provisions, have left this city for the mines. If the mines are half as rich as they are said to be, we may safely calculate that many of these trains will return as heavily laden with gold dust as they now are with provisions." The same issue says that Mr. Bridges of Oregon City had taken out 57 ounces of gold from his claim on Babboon Gulch, the first day he had worked it, 157 ounces the second day, 214 ounces the third, and 200 ounces in two hour's time on

the fourth. Single pans were yielding from 25 cents to \$2.50, and in some places ounces would not describe the results obtained.

The ranchers and stock-growers in the Walla Walla country would have secured a liberal share of this wealth, but for the severity of the winter, which turned their bright prospects of profit into an actual and almost ruinous loss. Most of their cattle perished. Many lost their horses also. Hay went up to \$125 per ton, and flour to \$25 per barrel. The loss of animals alone was estimated at \$1,000,000, and many of the farmers were compelled to buy seed for the next year's planting, at ruinously high prices.

But in spite of the severe weather, the gold seekers began to assemble early at Portland, in 1862, and other points as near the mines as the frozen river would permit them to get. By March 22d, the "Statesman" had learned, by those who had arrived from the Dalles, that 4,000 miners had been assembled fifteen days earlier in Portland, where they were waiting for navigation to open. Hundreds were arriving there by every steamer. During April, most of these people were on their way up the river, and by the last of May, it was estimated that from 20,000 to 25,000 gold-seekers had passed up on their way to the mines.

During 1862, eighty new buildings were erected in Walla Walla, including a planing mill and a sash and door factory. Though the farmers produced but little to sell that year, on account of the difficulty of getting seed, enough was grown to warrant the building of a new flour mill on Yellow Hawk Creek. The number of settlers steadily increased, in spite of the tempting news from the mines, where new and rich discoveries were frequently reported, some of the richest being in the Boise Valley. Captain Medorem Crawford

estimated that 1,600 wagons and fully 10,000 people crossed the plains that year, and, although the Grande Ronde Valley tempted many of these, Walla Walla got a goodly share of them. In March 1862, Lewiston, at the confluence of the Clearwater and Snake rivers, was platted, and in April Wallula, on the Columbia, was started.

The discovery of gold in the Boise region turned the tide of gold seekers southward, from the mouth of the Umatilla, and this drew away a good deal of the trade that had been going to Walla Walla. A line of stages was established, to run over the emigrant trail from that point to the new mines, thus offering an advantage which Walla Walla did not possess. Many of the immigrants who had started for Oregon and Washington, from the older States, now turned aside to the mines, or found homes in the valleys of what is now Idaho, and the settlement of eastern Washington was considerably retarded from this cause. But notwithstanding all this, some progress was made. The merchants of Walla Walla met the competition of the new town, with its stage line, as best they could. They established, or procured the establishment, of a stage line from Wallula to their town, by which the fare was \$5 for each passenger, and freight transportation was \$20 per ton. A triweekly mail from the Dalles was also established.

In the spring of 1864, George F. Thomas & Co. started a stage-line from Walla Walla to Boise; Wells, Fargo & Co. had established its express business over the same route during the preceding year, and these diverted a part of the business with the Boise district from Umatilla to Walla Walla. New gold discoveries on the Kootenai, made during this year, brought a fresh influx of miners through the valley, and so restored to Walla Walla all its earlier prosperity, for

the time being. The first overland mail direct from the Missouri River, by way of Boise and Salt Lake, by Ben Holliday's stage-line, was received and sent out during this season, and passengers were carried between Atchison, Kan., and Portland, for \$260 each, with 25 pounds of baggage free. Their meals en route cost about \$40 in addition. The enrollment of all citizens subject to military duty, made that year, showed 1,133 persons, of the required age and physical qualifications, in Walla Walla County, although the anti-war party, which was particularly strong, claimed that at least 300 of these were mere transients. The assessment rolls showed the total property valuation in the county, which then comprised all of Columbia, Garfield and Asotin, as well as what is now Walla Walla County, to be \$1,545,056, an increase of \$432,145 over the valuation for the preceding year.

It was in this year that a discovery was made in this country of far greater value to it, and to all of eastern Washington, than all the gold mines that had been or were to be found, and this was that wheat could be grown on the hills as well as in the valleys. A farmer wishing to build his house on a hill, overlooking his farm in the river bottom country, dug a well, and observed in doing so that the ground penetrated was practically the same from the surface to a depth of fifty feet, and that so far as appearance went, it was the same as that in the valley lands. He planted some wheat there, and the result was so satisfactory that settlers soon began to choose their claims among the hills, as readily as in the valleys. Ten years later Dr. N. G. Blalock had 1,000 acres, in one body, surveyed out of his wheat fields on these hills, the yield from which, when threshed and ready for market, was found to average above fifty bushels per acre.

The Montana gold mines began to attract attention in 1865, and the Walla Walla country saw another rush of miners, similar to those of preceding years. "From every point of the compass," says the "Statesman" in its issue of March 13th, "they drift by hundreds and thousands, and the cry is, 'still they come.' The excitement promises to depopulate California, and from our own territory, as well as Oregon, the rush is unprecedented. The stages that leave here go out loaded down with passengers, all bound for Blackfoot."

Chicago, as well as San Francisco, now began to take an interest in the mining regions of the Northwest, and to bid sharply for their trade. San Francisco merchants figured that it cost them from \$270 to \$345 per ton to ship their goods by any of four known routes to Helena, and they were much concerned for fear that Chicago could send theirs at less cost. It was also estimated that 100 pack trains of not less than 50 animals, carrying 300 pounds each, were engaged in the carrying trade between the head of navigation, on the Columbia River, and Montana. The total value of goods carried by these pack trains, for the year, was placed at \$1,200,000. These goods were packed a total distance of 450 miles from Walla Walla, at a cost varying from 13 to 18 cents per pound.

So far everything had been shipped into the eastern Washington country, and nothing shipped out, except to the mines. But in 1866, the mills in and near Walla Walla, and at Waitsburg—which had been started during the preceding year—found they were producing more flour than the miners required, and the first shipment was made down the river. The Oregon Steam Navigation Company, which now controlled the transportation business by river, advanced the

rate from \$7.50 to \$17.50 per barrel, after the first experimental shipment was made, but soon reduced it again, and, in 1867, no less than 4,735 barrels were shipped in this direction, in consequence. Soon afterwards, an experiment in shipping wheat was made, with results so satisfactory that 15,000 bushels went down the river that year. There was a short crop in 1869 and all the grain and flour produced by the farmers and the mills sold readily at home.

The lumber business also got started during these exciting years. In a country where McKinlay and Peter Skeen Ogden had been compelled to collect driftwood forty-four years earlier, with which to build Fort Walla Walla, lumber was certain to be early in demand and, if it could be produced, would sell readily at good figures. Robie & Co. built the first sawmill in eastern Washington, near Walla Walla, in 1859, and Noble & Co. built one across the Oregon line the same year. Samuel Linkton appears to have got a small mill started in the foothills of the Blue Mountains, near the crossing of the emigrant road, as early as 1862—possibly earlier. It was a small affair and the timber in its neighborhood was also small in comparison with that west of the mountains. It was soon so nearly all cut away, that in the summer of 1864, the mill was removed to Mill Creek, about twenty miles above Walla Walla, where, a year or two later, Linkton sold it to one of his employees, George H. Reed, afterwards well known in Tacoma, and two other men named Stevens and Snider. They ran it until there were no more logs that could be floated to it, when it was again moved, this time into the Blue Mountains, south of the Oregon line. Migratory sawmills like this one, in that day, left their monuments in the nomenclature of the country. The site on which this mill was first located is still known as

Linkton's Mountain, and one of its later sites as Reed and Harney Mountain.

Like many other towns and cities to which rich mining districts have been tributary, Walla Walla had its bitter experience with the lawless element. Following the troops of miners which poured through it in the early sixties, came the gamblers, thieves and outlaws of every sort, and many of these thought new and thriving towns near enough to the mines to serve their purposes admirably. The machinery for making and executing wholesome laws, and police regulations, had not yet been established. Honest men were too busy, or thought they were, to give attention to their organization, and so these disreputable characters took the business in hand, and they took good care that no peace-officers were elected or appointed who would make them any trouble. By the summer of 1862, the ranchers were beginning to be annoyed by horse-thieves and cattle-thieves, and were compelled to watch their animals both day and night, whether they were on the range or housed in their barns and stables, to avoid loss. At length even this did not furnish full protection, and a vigilance committee and Judge Lynch began to be talked of. But the cut-throats only laughed at this and grew bolder.

Finally the inevitable followed. The property-owners began to act singly, when occasion demanded, and then in unison. In April, a man was shot in open day not far from Rev. Cushing Eells' house. He was suspected to be a horse-thief, and when his body was found it was assumed that he had been shot when stealing, or attempting to steal. Everybody knew him, and nobody complained seriously about the manner of his taking off, although he left a wife and family for whom all had compassion. But the widow

had two brothers, who were staunch supporters of the law, and she was well cared for. One day a considerable band of cattle were stolen. Soon the owners and their neighbors were riding in hot haste after the thieves. They were pursued for some miles, and at times a battle seemed imminent. Toward evening some shooting was heard by those who had remained at their homes, and later the owners returned with their cattle. Not much was said about the means by which they were recovered. Those who knew did not care to tell, and those who did not know did not question too closely. Next morning, which was Sunday, when people were going to church, the dead body of a man was found bound to a tree, with a rope tightly knotted about his neck, while on the ground nearby was found his saddle and his pistol. It was clear that one cattle-thief had been strangled to death; the particulars of the tragedy were not necessary.

"Six-Toed Pete," a notorious ruffian, was arrested, but broke jail, and was found hiding in the schoolhouse. He was recaptured and taken away. He returned to trouble the community no more. One day a man rode a particularly fine horse through the town at a gallop, and was followed by two younger men. It was evident to everybody that the first rider was a horse-thief, and that the horse he was pressing so mercilessly had been stolen. Next day both horse and rider were found dead, a few miles beyond town. It had been necessary to bring down the horse in order to get the rider, but the sacrifice had been made.

Things went on in this way for a year or more. The lawless element was bold and defiant; the law-abiding part of the community were calm but determined. Every now and again some outlaw's body would be found suspended from a tree, or shot through with bullets, by the roadside,

or in some convenient stream or thicket. Some fifteen or sixteen of them ceased to be troublesome in this way. One of the worst of the banditti, a French half-breed woman, disappeared and was never again heard from. Then there was an exodus of this criminal class, who temporarily transferred the scene of their activities to Boise. They remained there while that camp was at the height of its prosperity, but in time they began to return to Walla Walla. One of the advance guard was a noted ruffian named Patterson. He always went armed in a conspicuous way, and was known as a dead shot. During the winter of 1864-65, he was the terror of the town, and none cared to dispute the way with him. Things soon became as bad as they had ever been. Respectable people did not appear on the streets after dark, if they could help it, nor did they open the doors of their homes or places of business in the evening without arms in their hands. It was clear that the rough element had returned, and would remain until driven out again.

Patterson's turn came early. He had bullied a watchman, one of the most inoffensive men in town, so far as appearances went, but one who was peculiarly unforgiving. He watched for his opportunity and soon found it. The burly ruffian entered a barbershop one morning, and laid aside the revolver he so conspicuously carried, while being shaved. The watchman went to the back door of the shop, waited until his enemy's face was turned toward the window during the shaving operation, and then shot him through the head. The first shot was not fatal, but enough more were added to complete the work. The watchman gave himself up to the sheriff, who happened to be near, and was taken to jail, which was the safest place in town for him until the excitement among the rough element should blow over, but a

few nights afterward some friend aided him to escape and he never returned.

Much excitement followed this shooting. The rough element now declared that the law should be enforced, and as usual threatened to enforce it themselves. But they were soon compelled to change their arrogant tone for one of supplication. Swift riders were sent through the country in all directions to summon those who could be relied upon, and they answered promptly. It was noticed a few mornings later that there were an unusual number of people in town. The streets were full of farmers' wagons. The owners of these wagons seemed to be going about their business as usual, and showed no signs of an intention to do anything else. But it was noted that few of them had their wives with them. It soon began to be rumored that there was a loaded rifle under the straw in the bottom of every wagon, which was true, and in some there were more than one. The rough element quickly took the alarm. "Give us a few hours," they said, "and we will trouble you no more." The terms offered were accepted. There was a general packing up of gambling implements and other property belonging to the undesirable element, and within the succeeding twenty-four hours most of them departed and never returned. Walla Walla took its place among the peaceable and law-abiding towns of the territory and so remained.*

The successive discoveries of gold in the region east of Walla Walla had drawn into that part of the territory a population sufficiently large to justify the organization of a separate government by 1862, and an act creating the territory of

* For most of the details in this account of the purification of Walla Walla, the mining town, I am indebted to an interesting paper by Mr. Edwin Eells, and to the life of "Father Eells," by Rev. Myron Eells.

Idaho passed both houses of Congress, and was approved by the president March 2, 1863. The territory included in it was all that part of old Oregon lying east of the one hundred and seventieth degree of west longitude. All that portion of this vast region which lay south of the forty-sixth parallel, the northern boundary of Oregon, had become a part of Washington when Oregon was admitted as a State in 1859. The counties of Missoula, Shoshone, Idaho, Nez Perce and Boise had been organized in it by the territorial legislature of Washington, but had apparently never been represented in that body, if indeed the local governments provided for it had ever been organized.

William H. Wallace, of Steilacoom, who had succeeded Governor Stevens as delegate in Congress in 1861, was made the first governor of the new territory. It is believed that Mrs. Wallace had first suggested its name, which is an Indian word meaning Gem of the Mountains. Mr. Wallace's term was just expiring and he went almost immediately to his new post of duty and the territorial government was soon organized, making the separation from Washington complete.

Walla Walla County, which, as originally organized in 1854, included all of Washington east of the Cascades, and all of Idaho and that part of Montana lying west of the Rocky Mountains and north of the forty-sixth parallel, thus lost a large and fruitful part of its area. But it had been previously reduced in 1858 by the organization of Spokane County, which nominally took from it everything north and east of the Columbia and Snake rivers. But no government was ever organized for the county thus described. Enough settlers, however, had gone into the region lying between the Columbia and the divide between its valley and that of the

Yakima, to justify the organization of a new county, and, in December, 1859, the legislature created Klikitat County—spelled Clicatat in the act—with practically the same boundaries that the county had before Benton County was created. In January, 1860, an act recreating Spokane County was passed, but again no county government was organized.

During the summer of 1859, the soldiers of Captain J. J. Archer's company, 9th infantry, who were on guard at the camp of the boundary commissioners at Lake Osogoos, found gold in the Similkameen River, and soon it was reported that they were taking out \$20 per day per man, with pans, after walking five miles each way to and from the mines. This news had led to a considerable rush toward the boundary. The little steamer George Wright, which had just been built to run from the Dalles to points on the upper Columbia and Snake River, was soon doing a thriving business. On her first trip in the spring of 1860, she took twenty prospectors and their outfits as far as Priest Rapids, and on her second she took fifty. Prospectors who had been disappointed in the Fraser River country now turned toward the Similkameen. Several parties left the Willamette in small boats, intending to make the entire journey in them, as the Hudson's Bay Company people had done thirty-five years earlier, and parties from the Puget Sound country started, as early as March, to cross the range, although it was known that the snow would probably obstruct their passage until May, and possibly till June.

But the gold-bearing bars of the Similkameen were soon found to be in British territory, and a tax of \$100 per man was demanded by the alert agents of Governor Douglass, before any American was permitted to begin work there.

This proved very discouraging, and, although the first bars yielded richly in coarse gold, they were soon exhausted. Two reasons, therefore, impelled the gold hunters to make search elsewhere. Some of them made fresh discoveries in the neighborhood of Fort Colville, now a United States military post, where Major Lugenbeel was in command, and some pressed on into the Kootenai country, while still others returned to the Dalles, and Walla Walla. Few, if any, remained in the country as settlers. Spokane County, as recreated, got no real benefit from this rush of gold hunters, and, in January, 1864, it was annexed to Stevens County, which had been created by act of January 20, 1863.

It need hardly be mentioned that this latter county was named in honor of the first governor of the territory, whose death, on the battlefield at Chantilly, had occurred only a few months earlier. The limits of this county, as defined in this act, included all the territory lying west of the Columbia and north of the Wenatchee. The territory south of the Wenatchee, and now included in the counties of Kittitas and Yakima and part of Benton County, had been assigned to a new county, to be named Ferguson, by act of January 23, 1863, but it was never organized. When Spokane and Stevens counties were consolidated in 1864, the new county of Stevens included all of eastern Washington lying north of the Wenatchee and Snake rivers. It was not until October 30, 1879, that an act was passed finally separating Spokane from Stevens, and the county was established.

All the territory lying south of a line running due west from a point two miles above the lower steamboat landing at Priest Rapids, that had once been assigned to Ferguson County, was erected into a new county called Yakima, by act of January 18, 1865. For the rest, it will be sufficient

to say that Whitman County, including a large part of Franklin, was organized in 1871; Columbia in 1875; Lincoln—which it was at first proposed to call Sprague, in honor of General John W. Sprague, for many years manager of the Northern Pacific Railroad, in Washington and Oregon—Kittitas, Franklin, Adams and Douglas were created in 1883; Okanogan in 1888; Ferry in 1899, and Chelan in the same year.

Settlement in some of these counties had begun early, but had advanced very slowly. For a long time their possibilities were not understood, or even suspected. Their barren appearance, particularly in the central part of the territory, where sagebrush, cactus and greasewood seemed to the casual observer to be the only natural products, gave them a forbidding look to the settlers coming from the smiling prairies, or fertile openings of the old Northwest. Even the "bunchgrass country" of the eastern counties, where the immense herds of sleek horses owned by the Indians showed how well fed they were, tempted only the cattle, horse and sheep growers for many years. Henry Wind and A. B. Berneke, who were probably the first settlers in what is now Adams County, thought the country good only for stock-raising. They went there in 1864, and during the four succeeding years built a stone house near Cow Creek, using mortar made of mud and sand, and it is still standing. In 1868 they sold out their "squatter rights," for they had little else save their house and some stock to sell, and one of their successors, George Lucas, known as "Uncle George," and his brother lived on the place for thirty years without suspecting that it was worth their while to secure title to it from the government. Even A. L. Coffee, a man of some scientific acquirements, who was one of the early surveyors

in this county, saw no value in its soil until many years afterwards. He told W. R. Cunningham Sr., in 1894, that he had recently been reading of the productiveness of the soil in the neighborhood of Mount Vesuvius, which under proper tillage improves rather than deteriorates year by year, and was convinced that the soil of Adams and other counties of central Washington was of the same character. J. F. Cross and his wife were the sixth and seventh white persons to make their home in this country, and they arrived in 1872. It was not until 1879 that the first hundred acres in the county were plowed and sown to wheat, by James G. Bennett, who also dug the first farm well in the county. Wheat is now the principal product of the county, which has produced between seven and eight million bushels in a single year.

The first real settlement in Whitman County was made in 1868, by people from the Walla Walla Valley. In the year following a number of newcomers made locations on Union Flat, and in 1870, James A. Perkins and T. J. Smith located their claims where the thriving city of Colfax now stands. As in all the other counties, the first arrivals were stock-raisers.

Writing of the year 1888, Judge Chadwick, now of the State supreme court, says: "The Cayuse was our standby in those days. In that year I saw a band of three thousand of these beautiful creatures on the banks of the river at Penewawa—Old Hus Hus Poween's band, the last hereditary chief of the Peloose tribe of Indians. For \$3, I might have picked the band." This old chief was the last regular successor of that Palouse chief, whose 800 horses Colonel Wright's soldiers had shot in 1858, after the battle of Spokane Plains.

As in Walla Walla County, the first active development, in an agricultural way, began in Whitman County when the discovery was made that cereals would grow on the hills as well as in the valleys. At about the same time it was demonstrated, by actual experiment, that apples, peaches, plums and cherries would grow on the hills, and fruit-raising, as in Walla Walla, Spokane and other neighboring counties, has since become a leading industry, particularly along the Snake River.

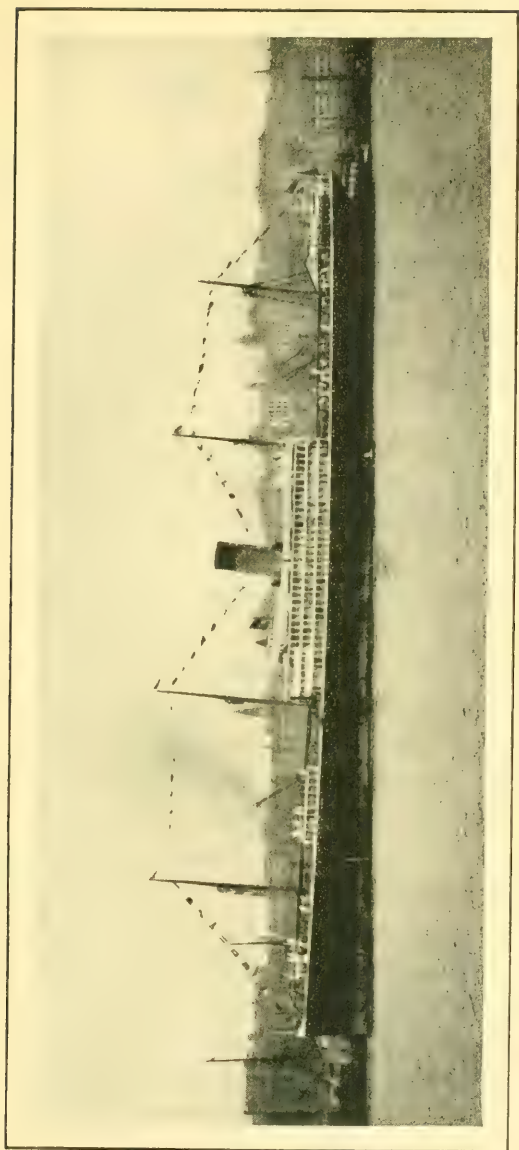
Samuel Wilbur Condit, known in early days as "Wild-Goose Bill," and Captain John McGourin were the first white settlers in Lincoln County. Condit located his claim, in 1875, where the town of Wilbur now stands, and it was apparently named in his honor. O. B. Parks, J. G. Kathroe and Barney Fitzpatrick arrived in the neighborhood of Davenport, and A. D. Strout, C. C. May, L. A. Kennedy, T. M. Cooper, James Hulbert, John Oakly and Major J. K. Worts came a year later.

Douglass County was settled still later. As in Adams, Lincoln and Whitman Counties its earliest settlers were stockmen. Among the first of these to arrive were Daniel Paul and Philip McEntee, who located near the present site of Coulee City, in 1882, while A. T. Greene, Judge Snow, Isaac Newhouse and E. F. Stowell arrived in the vicinity of "Jumper's Flats," now Waterville, between that time and 1887. This was for several years supposed to be the only part of this large central country, having any agricultural possibilities, except such as were found in the bottoms of the Moses and Grand coulees, the two vast rents in the earth which traverse the country from west to east through its middle part. It soon came to be known as the Big Bend country, being located in the great bend of the Columbia,

STEAMSHIP MARY WATTA.

Built at New Haven, Conn. for the Great Northern Railroad in 1904. Length 630 feet, breadth 73 feet 6 inches, depth 54 feet; gross tonnage, as per Lloyd's rules, 20,718 tons; net 13,325 tons; measurement capacity 28,317 tons; sea speed 15 knots; twin screws; 11,500 horse power. As compared with Gray's ship, the Columbia 210 tons, or Vancouver's, the Discovery, 400 tons, she would seem like a floating island.





and has since become famous for its wheat and fruit, and particularly its red apples.

The first white settler to make a home in what is now Yakima County was Fielding Mortimer Thorp, who arrived in the Moxee Valley with his family, consisting of four sons and five daughters, early in February, 1861. Thorp had crossed the plains to Oregon in 1844, the same year the Simmons party came. He first made a home in the Willamette Valley, but, in October, 1860, he drove a band of cattle to the Yakima to winter on the abundant forage of that region. During the severe winter of 1861-62, the settlers both in Oregon and Washington lost most of their stock. Eighteen inches of snow fell in the Yakima Valley. Rain followed, and then several days of severe cold weather ensued, forming a sheet of ice and snow over the whole valley, through which neither cattle, sheep nor horses could force their way to the grass that lay buried beneath it. But Thorp and his four sons, together with Charles A. Splawn, who by this time had married his eldest daughter, set resolutely to work with heavy wooden flails and shovels to break down this icy barrier, and clear away the snow from ground enough to allow their stock to get food. In this way most of their animals were saved.

For several years this family lived almost alone in the valley. In 1862, the Indians became very threatening. The agent stationed at Fort Simcoe thought it prudent to retire to the Dalles, but Thorp remained on his ranch. On one or two occasions, they appeared at his place in considerable numbers, but he and his family met them so boldly that they did not venture an attack.

But it was not until a considerable time later that other settlers began to seek homes in that region. When Ferguson

County was formed by the legislature in January, 1863, with practically the same limits as the Yakima County of 1865, James A. Wilson, Alfred Hall and a man named Place were made the first board of commissioners, with Willis Thorp as sheriff, and W. Shaugh, justice of the peace. But the government of the county under this name was never organized, and in 1865 the name was changed to Yakima. William Parker, J. H. Wilbur and Charles Splawn were named as commissioners, William Wright, auditor, Willis Thorp, treasurer, and Gilbert Pell, sheriff.

A town called Yakima City gradually grew up near Union Gap, on the other side of which Rains had camped in 1855, and permitted the Indians to jeer at him until his soldiers could stand it no longer, and so attacked and drove them over the hills without his order or authority. This town claimed to be "the Giant of the West," for a time, and its inhabitants hoped it would sometime be the metropolis of the interior. It had a Catholic, a Christian and a Congregationalist church, a Methodist society which held services more or less regularly, several shops and mercantile establishments, and presented a thriving appearance to the immigrants as they passed through it on their way to the Sound. But few of them were tempted to stop in the vicinity, and the settlement of the valley proceeded but slowly for twenty years.

When the Northern Pacific Railroad reached the valley in 1885, most of the settlers in the county were living at or near Yakima City, or scattered along the river from the Columbia to the Wenass. The railroad refused to establish a station at the town, claiming that it was unfavorably located and would become a swamp when the valley came to be irrigated, as it must be. It located a new town four

miles further west, which it called North Yakima, and the inhabitants of the earlier town gradually removed to it, leaving "the Giant of the West" practically deserted.

Although the Spokane country had been explored by members of the Astor party, and was almost as well known to the early fur hunters as any part of Oregon, actual settlement in it did not begin until a much later date. David Thompson, first of all the Northwesters to arrive in Oregon, had camped for a time near the falls before he went to Astoria, and years later Peter Skeen Ogden, Archibald McKinlay and John Work had traveled up and down through it to the country of the Kalispels, the Flatheads and the Cœur d'Alenes. Cushing Eells and Elkanah Walker from Tshimakain had preached to the Indians there many times, and had hoped much from their ministrations. But from the time they were forced to leave the country, after the Whitman massacre, no white man seems to have thought of making a home there until James Monaghan chose a claim on the river, about twenty miles below the falls, in 1860. Here he planted an orchard, for a time kept a ferry, and later built a bridge. Guy Haines, who had been a quartermaster with the McClellan party in 1853, settled at Walker's Prairie, near the site of the old mission, in 1862, and William Newman, who had served with the escort for the boundary commissioners in 1860, and perhaps earlier, began to make himself a home near Newman Lake in 1865. Stephen Liberty, who came from Canada in 1866, took a claim near Liberty Lake in 1869, and Joseph Moran settled near the present city of Spokane in the same year. Two Frenchmen named La Fevre and Labie were then living near Medical Lake, and Major Whimpey, then or soon after, had a ranch near Latah.

These seem to have been the only white settlers in the county previous to 1870, though when Spokane County was first organized by act of the legislature in 1858, Robert Douglass, John Owen and William McCreary were named as commissioners, Patrick McKenzie, sheriff, Lafayette Alexander, auditor, and the county seat was fixed on the land claim of Angus McLeod. But at that time the county included the whole country north of the Snake and east of the Columbia rivers, to the top of the Rocky Mountains.

J. J. Downing and L. R. Scranton were the first American settlers on the site of the present city of Spokane. They arrived in 1872. There were not at that time more than a dozen white settlers in the county. M. M. Cowley arrived that year, and started a store about seventeen miles east of the falls. Downing and Scranton built a mill on the south side of the river, but sold it in 1873 to James N. Glover, who had lived for a time at Salem, Ore., but on account of failing health had gone to eastern Washington, intending to start a sheep-ranch. He had gone up the river by boat to Lewiston, then the head of navigation, and then, in company with J. N. Matheney, rode across to the Spokane on horseback, looking carefully for grazing lands as they went. But the outlook for milling, and possibly for city-building, at the falls seemed so favorable to Glover, that he was easily persuaded to try a new venture. Downing and Scranton had by this time been joined by a man named Benjamin, to whom they had sold an interest in their enterprise, but he had made only a small payment in cash, and there was so little prospect that he would be able to complete the transaction that his partners were much dissatisfied. Glover accordingly purchased his interest, and leaving Matheney in charge, returned to Portland for machinery

to enlarge the mill, and a stock of goods with which he and Matheney intended to open a store. By the time he had reached the falls with these, C. F. Yeaton had arrived, and a new partnership was formed which soon owned the mill, a store and also engaged in farming and stock-raising.

The town of Spokane Falls, as it was known during the twenty years following, was now started. These first permanent residents on its site were hopeful, and even confident, that the first railroad to cross the continent by the northern route would pass through or near it, because of the vast power for manufacturing purposes which the falls would furnish, and they were easily able to convince many of the early homehunters and prospectors who passed that way, of the reasonableness of these expectations. In 1873, a postoffice was established, the mail being sent on horseback, overland from Lewiston by way of Colfax. Scranton was the first postmaster and Yeaton the second. In 1874, Rev. H. T. Cowley and family, and Mr. Pool and family arrived, and Cowley soon after opened a school with four pupils. In 1875, S. G. Havermale located a claim on the river, which included the island still known by his name, and Fred Post and family came a year later. Post built the first flourmill at the falls, receiving forty acres of the townsite as a bonus for building it.

When the people of Oregon formed their State Constitution in September 1857, they made an attempt to extend the limits of their State, by proposing to make the Snake River its boundary on the northeast, and so include within it all of what is now Walla Walla, Columbia, Garfield and Asotin Counties. They perhaps felt that they had some claim on this fertile region, as they had made two campaigns in it against hostile Indians—one in 1847-48, after the Whitman

massacre, and one in the winter of 1855-56, after Wool had withdrawn the regular troops into winter quarters. Moreover the Snake River made a better boundary than an imaginary line, and it was apparent that when the region should come to be settled, its people, as things were then, and were likely to remain for a considerable time thereafter, would find a more natural outlet for their surplus products, by sending them down the river, than over the mountains to the Sound.

This attempt drew forth an emphatic protest from the people of the territory, although at the time there were none in the region sought to be annexed, either to favor or oppose it. When the legislature met in December, Governor McMullin, who had very recently arrived, and as yet knew very little about the territory, made a strong general protest against it in his message. It was a section of country, he said, which, "if I am correctly informed, is of excellent quality, admirably adapted to agriculture, and capable of sustaining a population of seventy-five or one hundred thousand souls." He looked upon this "attempt to rob us of so valuable a portion of our territory, as a political, moral and social outrage," and suggested that the legislature send a strong protest to Congress against this "attempt to change the boundary between the two territories without even asking our consent."

The legislature did protest, though it seems not to have been necessary, as Congress fixed the northern boundary of the State on the same line that had been the boundary of the territory.

Another attempt to attach this part of Washington to Oregon was made in 1866, and this time it seems to have been prompted by a resident of Washington. In the fall of 1865,

Anderson Cox was elected from Walla Walla to fill a supposed vacancy in the legislature. But on arriving at Olympia he found that no vacancy existed, and was seemingly grievously disappointed, for instead of retiring quietly to private life, he went to the capital of Oregon, and helped to set on foot a new project to annex the Walla Walla country to that State. The Oregon legislature sent a memorial to Congress urging annexation, and the Bar Association of Walla Walla addressed a letter of thanks to the speaker of the legislature for what had been done. All this provoked a great deal of comment, favorable and unfavorable, and was the cause of some anxiety for a time, but again Congress failed to do as requested.

Statesmen from south of the Snake River have not been permitted entirely to forget this attempt at secession, in the early days of their political history, for in times when they have found themselves out of harmony, for the moment, with the other representatives of their parties, they have been not too gently reminded, sometimes, that there was a time when they were sorry their country was not a part of Oregon, and it is more or less pointedly hinted that possibly some shadow of regret still remains. All of which goes to show, possibly, that there is less of the milk of human kindness in the breast of the average politician than there might be and, no doubt, ought to be.



CHAPTER LII.
THE CIVIL WAR.

WHEN the war between the States began in 1861, the people of Washington were but poorly prepared to take an interest in it. They had been exhausted by a war at their own doors, in which nearly every man, and many of the women, had at some time taken up arms to defend themselves. Those who had not actually enlisted, or gone to the field, or served in the quartermaster's department, or in some other capacity connected with the volunteers, had acted as guards in the stockades and blockhouses, or carried arms with them to their fields, when they went about the work of planting the crops which were to support both the volunteers and their own families.

War had impoverished them, though they had been poor enough before it came. They had not been paid for the fighting they had done, or for the property they had sacrificed to support those who had done the fighting, nor did they know when they would be, if ever. War, therefore, had little if any inspiration for them; they had seen too much of its grim reality, with none of its pride, pomp and circumstance. They were loyal to the flag, and to all it represented—that was one reason at least why they were here, as they were, on this remote frontier, and why they made the sacrifices they had made to be here. But they did not regard the flag or the government as in any special danger. They had long heard of the threats made by the secessionists to break up the Union, but did not regard them as serious. They were so far away that only the last and feeblest reverberations of the guns from Fort Sumpter reached them. The blare of trumpet, and soul-stirring throb of drum, that sounded so continually in the ears of people in the Eastern States, hardly penetrated to their quiet homes, and when

they did it hardly seemed probable that any patriotic response on their part, if made, could be of any benefit.

The Democrats had always been in the majority in the territory. All the governors so far had been Democrats, appointed by Democratic presidents, and all the delegates in Congress had been Democrats, and had been elected by considerable majorities. The majority had, therefore, long been opposed to any interference with slavery, and inclined to sympathize with the slaveholders, as against the abolitionists, and few perhaps understood clearly that the new president and his party were not proposing to interfere with slavery in the States where it existed—in fact had declared repeatedly that they believed they had no right to do so. The majority accordingly were but little inclined to march across the continent to engage in the war on either side, and the minority probably did not, for some time, comprehend that the attack on Sumpter had changed the issue from one about slavery, to one about union or disunion.

When therefore Henry M. McGill, the acting governor of the territory, on May 10, 1861, issued his proclamation in response to President Lincoln's first call for volunteers, calling upon the citizens of the territory capable of bearing arms to enroll themselves, and report to the adjutant-general, to aid the president in "maintaining the laws and the integrity of the Union," it met no very hearty response. It was not until October 12th, apparently, that any step was taken to raise volunteers in the territory, that resulted in any actual enlistments. On that day Colonel Thomas A. Scott, then assistant secretary of war, wrote to Justus Steinberger, who appears to have been in Washington at the time, notifying him that, by request of "Colonel W. H. Wallace, the

governor of Washington Territory,"* he was authorized to organize a regiment of infantry, "in that territory, and the country adjacent thereto," of which regiment he was appointed colonel. The other officers were to be appointed by the governor. In case the regular troops had left the territory when he should arrive there, he was to be mustered in by any officer of the army at San Francisco, and he was to stop there on his way home and report to the officer in command for the purpose of securing information.

Arriving on the coast, he came to the Sound in January 1862, and after consulting with members of the legislature then in session, and visiting the principal towns and settlements west of the mountains, he found that he could not hope to raise more than three companies, at most, in the territory. He appears to have received very little encouragement at Olympia. The territory was without a governor. Gholson had left it more than a year before, and had now gone over to the enemy. His successor had not yet been appointed. A new secretary, L. Jay. S. Turney, of Illinois, who had arrived only a few months earlier, was acting governor, and had opened the session with a message that was little more than a stump speech. Few of its recommendations were followed, or in any way regarded. One of them was that resolutions should be passed "calling upon Union-loving men to stand by Union-loving men in all things, and at all times, and resolving not to trade with, or in any manner countenance, those who are base enough to oppose the Administration in its laudable and patriotic efforts to sustain the government." This suggestion of a patriotic boycott appears to have been resented by the legislature, for although resolutions pledging the support of the territory

* Wallace had been appointed governor, but never qualified.

to the Union cause were offered in both houses, they were not adopted. But while thus refusing to declare their devotion to the Union, the members of the legislature did not fail to provide for raising the territory's proportion of the direct tax levied by the special session of Congress, which amounted to \$7,755.33. They took the same course with regard to this war that Mr. Lincoln himself had taken, while a member of Congress, with regard to the war with Mexico; they were not willing to approve it, but they would not withhold the supplies necessary to sustain the soldiers in the field.

While the indifference of the legislature probably had some effect, there were other reasons why the people did not hasten to enlist. The winter was unusually cold, and the settlers were very uneasy about the Indians, who were manifesting many evidences of discontent. During the preceding summer one settler had been murdered by them at Gray's Harbor, and another at the mouth of the Snohomish, and there were indications of an uprising at the Cascades. The tribes in eastern Washington were showing much opposition to the miners, who were passing through their country in great numbers, to the newly discovered mines in Idaho. Eagle from the Light, one of the Nez Perce chiefs who had been present at the Walla Walla council in 1855, had stopped a supply train passing through his country, and compelled it to return to Walla Walla. The payments promised the tribes in the treaties had not been made, in some instances, and General W. W. Miller, who was then superintendent of Indian affairs in the territory, was having much trouble on that account. It had been necessary to send a small detachment from Fort Vancouver to the Chehalis, to quell a threatened uprising in that neighborhood. The northern

Indians, always troublesome, were now more threatening than ever, and there were supposed to be some two thousand of them at and near Victoria, and along the shore of Vancouver Island. The military company at Fort Bellingham had already been withdrawn, and it was feared that the garrison on San Juan Island would be so far weakened as to be of little service. In such a condition of things few cared to enlist for a service that might require them to leave the State, where they were likely to be so much needed, although it seemed probable enough that they would only be required to replace the regulars already stationed here.

After authorizing R. V. Peabody to raise a company in the Sound country, and I. W. Cannady and F. Moore to raise two east of the mountains, Colonel Steinberger returned to San Francisco and opened a recruiting office there March 1st, under his authority to secure recruits in "adjacent territory." Two months later he had secured four companies, and had two more started, with very good prospects that they would soon be raised to the full complement of eighty men each. Early in May, with the four companies then completed and mustered, he left San Francisco for Fort Vancouver. Two other companies from California soon followed, and later two more were raised, making eight in all from California, in the regiment which was notwithstanding known as the 1st Washington Territory infantry.

Two companies of it only were raised in the territory, and one of these was recruited largely from residents of Oregon. This was Company F, which was mustered in at Vancouver. Its officers were W. D. Spencer, captain; Peter Fox, first lieutenant, and James Halloran, second lieutenant. It remained at Vancouver until late in December 1862, when it was moved up the river to the Dalles,

where it remained until March 1865, when it was returned to Vancouver and consolidated with Company E. Captain Spencer was then detailed for service in the adjutant-general's office, and the command fell to Lieutenant Fox, and afterwards to Second Lieutenant Halloran, who later became a lieutenant in the regular army.

The members of Company K were enrolled at Vancouver, Walla Walla, Port Townsend, Steilacoom and Olympia. Its captain was Egbert H. Tucker, while E. D. Jester was first, and James E. D. Tothilleits second, lieutenant. Its organization was not completed until late in 1862. Writing from Fort Vancouver, under date of October 2, 1862, General Alvord says that only twenty-seven men had so far been enrolled at Olympia, while no report had been received from Walla Walla.* This company was stationed at Fort Steilacoom during nearly its whole period of service.

The regiment served in Washington, Idaho and Oregon throughout the war. Companies B and C, under command of Major Calvin H. Rumrill, were stationed most of the time at Fort Colville; Companies A and H at Walla Walla, where Colonel Steinberger commanded; Company G was with Company K at Fort Steilacoom, under Lieutenant-Colonel Thomas C. English; Company E at Lapwai in Idaho, Company F at the Dalles, and Company D under Captain Seidenstriker at Fort Hoskins in Oregon. In 1863 Companies I, B and G, and sometime later Company D, were sent to Fort Boise, under command of Major Lugenbeel of the regular army, and, during that and the following year, did good service in protecting the immigrants against the Snake Indians, who during those years were very troublesome.

* Official Records of the Union and Confederate Armies, Vol. L, Part II, p. 146.

The Indians also made incursions northward to the neighborhood of Walla Walla and Lapwai, where the troops stationed at those points were called upon to drive them back to their own country.

During the winter of 1864-65, which was very severe, many immigrants were overtaken on the trail by the early snowstorms, and would have starved but for the aid furnished from Fort Boise and other military posts. On December 20th, Captain Seidenstriker wrote to General Alvord from Fort Boise that "A large number of emigrants are living around this vicinity, and a great many of them have families—in fact nearly all of them. They are in a state of actual destitution and want, which is the more aggravated by the extreme severity of the winter, rendering it impossible to work, even if it could be obtained, which, even in any case, is scarce in a mining region at this season of the year. Under these circumstances, I have deemed it my duty, as a government officer, to assist them in the way of provisions to some small extent, and the citizens generally have done the same. As I feel convinced that the general, if he saw them daily as I do, would do the same, I respectfully ask his approval of what I have done, and his advice and orders what to do in the future." He also found it necessary to furnish some food to the Indians near the fort, although all those in its neighborhood had shown more or less hostility to the immigrants during the preceding season, and would show more to those in the season following.

But these Indians made less trouble for the immigrants, the army and the stage and express companies, which had now established their lines from points on the Columbia to Boise and Salt Lake, than white outlaws were making. Stages were frequently held up, and their passengers

murdered. Sometimes the stage horses were stolen from the stables at the stations, and shipments of gold dust were sent away only under strong guard. The military did what could be done to rid the country of these outlaws, but was not able to put an end to their depredations, which continued until long after the war ended.

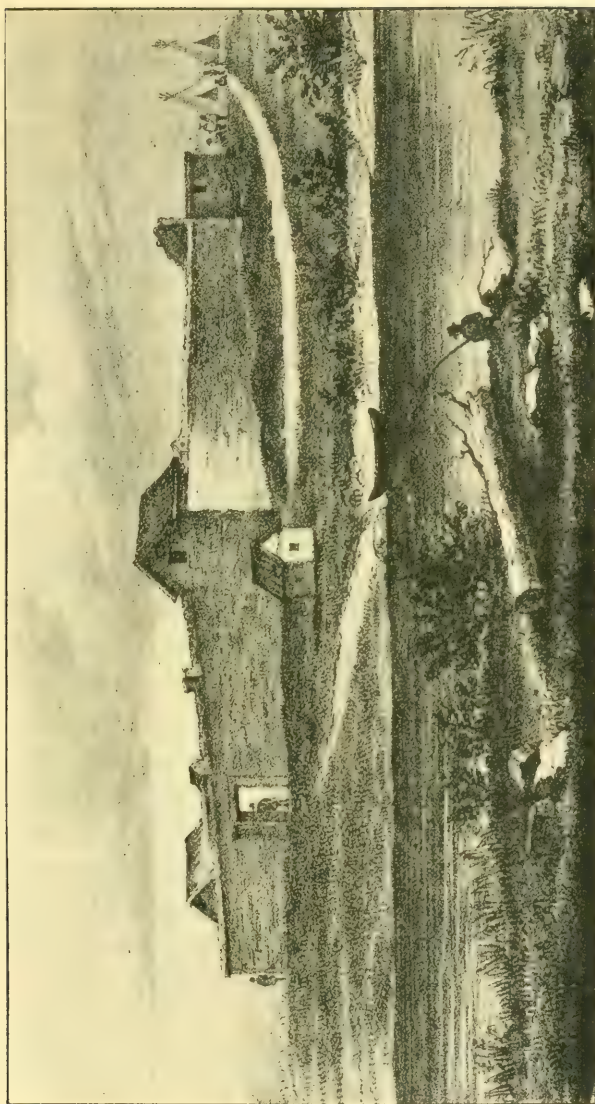
Those who sympathized more or less openly with the rebels in arms were not wanting in the territory, and they gave the loyal citizens no little cause for anxiety at times. There were also some outspoken sympathizers with the Confederate cause in Victoria, with whom those on this side the straits were believed to be in correspondence. Early in 1863, Allen Francis, the United States consul at Victoria, received information that led him to believe a plot was forming, or had been formed, to seize the revenue cutter *Shubrick*, and convert her into a Confederate privateer. In March a fast-sailing schooner, called the *J. M. Chapman*, had been seized in the harbor of San Francisco, just as she was preparing to put to sea, with only four sailors on board, but with seventeen other men, and a considerable quantity of arms and ammunition concealed in her hold. This seizure made the Union men everywhere along the coast more alert, as they suspected that other attempts would be made by the disloyal to get a vessel for their purpose.

The *Shubrick* made occasional visits to Victoria. Captain Pease, her commander, was Southern born, and it was this fact, no doubt, which caused Consul Francis to observe his movements very closely, and he soon learned enough, as he thought, to justify the conclusion that she was to be seized, with the captain's consent, while on the British side of the straits, and provided with a new crew which would willingly go on a privateering enterprise. The Pacific

FORT BOISE.

This station was built by the Hudson's Bay Company on Boise River in Idaho, a short distance above its junction with the Snake River, a short time after Wyeth built Fort Hall. It was the third resting place of the emigrants on their long journey. Whitman brought two wheels of his wagon to it in 1836, and they were the first wheels that had passed Fort Hall.





Mail steamers at that time were carrying considerable quantities of gold dust from San Francisco to Panama, and each one of them was a tempting prize for a privateer. While the Shubrick was much smaller than any of these ships, she carried four or five brass cannon, and a considerable supply of small arms, and with the right kind of a crew and commander would probably capture some rich prizes if allowed to get away.

The consul communicated such facts as he had learned to Lieutenant Selden, who was second in command on the Shubrick, and whose loyalty was undoubted, on the occasion of her next visit to Victoria, and while the captain and a large part of the crew were on shore, he threw off her moorings, and with only six men on board, sailed away for Port Townsend.

Captain Pease made no effort to rejoin his ship, but sailed from Victoria direct for San Francisco and Panama, and so far at least confirmed the information that Consul Francis had received. Writing of this incident to Captain Hopkins of the United States war steamer *Saginaw*, on May 13, 1863, Consul Francis said: "There is still in this city a rebel organization, which has had several meetings within the last few weeks. They are awaiting, it seems from rumors, the receipt of letters of marque from the president of the so-called Confederate States. At this moment an English steamer, called the *Fusi Yama*, is expected in this port from England, and it is rumored that she is to be purchased for a privateer."*

Later there were occasional rumors that certain persons in California had been commissioned by Jeff. Davis to

* Official Records of the Union and Confederate Navies, Series 1, Vol. II, p. 260.

raise companies of Volunteers for the Confederate army, and that they were laying plans to start an uprising at this or that place. One of these rumors was to the effect that a steamer was to be seized at one of the southern California ports, and, when manned and armed, was to prey upon the coast cities, as well as upon the commerce of the Pacific. This report appears to have caused some anxiety for the safety of Astoria and points on the Columbia, and a new defense at Cape Disappointment named Fort Baker, in honor of Senator E. D. Baker of Oregon, was built in 1864.

The enrolling officers appointed under the conscription act in 1863, to make up the lists of able-bodied men subject to military duty, met with some trouble, as they did everywhere else. The provost marshal established his headquarters at Vancouver, and special deputies were appointed in all the counties. Edwin Eells, who served in Walla Walla County, probably met with as much resistance in the discharge of his duty as any of them. The lawless element, which had been attracted to that part of the territory by the successive gold discoveries, was still strong in the community, and it was not patriotic in any sense. It became openly defiant when it began to be known that it would be compelled to furnish its share of recruits for the army in case of need. In one saloon a bucket of water was thrown over the enrolling officer; in another a bunch of fire-crackers was set off under his chair, as soon as he began to write, and in another all his books and papers were taken away and destroyed. Seven of those who had thus interfered with the enrollment were subsequently arrested for resisting the draft and, on trial before the United States commissioners, received various sentences.

But as time passed the loyal element in the community, which was so passive at first, gradually became aroused. Union clubs were organized in the towns, and the disloyal element, which was so bold and outspoken at first, soon found itself in the minority, and the expression of its sentiments more and more unpopular. The legislature which assembled in December 1862 had a strong majority of outspoken Union men, who promptly adopted a series of resolutions denouncing secession, approving the policy of the national administration, and promising their unwavering support to the Union cause. Women as well as men began to take an active interest in the war, and to organize clubs and societies to aid in the work of mercy which it was arranged that women should do. One of the first of these clubs was organized at Vancouver, and at the close of the war, Dr. Bellows, the president of the Sanitary Commission, reported that it had raised and forwarded more money, in proportion to the population and wealth of the town in which it was located, than any other society in the country, save one. This club had its beginning in a little church which Rev. John McCarthy, chaplain at the fort, had started, and the pulpit of which he regularly filled. It had sixteen members,* scarcely one of whom was able to keep a servant. They

* These were Mrs. Gay Hayden, Mrs. M. E. Nicholson, Mrs. Amanda Loomis, Mrs. C. N. Whitney, Mrs. Mary Turnbull, Mrs. Susan Turnbull, Mrs. S. A. Fletcher, Mrs. S. J. Hakes, Mrs. E. S. McConnell, Mrs. E. Durgin, Mrs. Middleton, Mrs. L. Slocum, Mrs. R. Brown, Mrs. E. J. Troup, Mrs. Freeman and Mrs. M. S. Stabilet. When their work was completed at the close of the war, these ladies resolved to meet and dine together once a year, so long as any of them should live, and this they did until 1904, when the last meeting was held in Portland. Since then the few surviving members have been too widely scattered and too old and feeble to be able to attend. Mrs. Hayden now (1909) lives in Seattle, Mrs. Troup in the Philippines and Mrs. Freeman in Scappoose, Oregon.

held fairs, dances at the fort, and collected money by all the means usually devised by charitable organizations.

The work was taken up by ladies in other towns and even in the country neighborhoods, and contributions soon became so numerous and so large that a central organization was formed at Olympia, with General W. W. Miller as treasurer, to receive and forward the money offered for this purpose. One of the earliest contributions received was \$700, from Port Madison. In a single issue of the "Overland Press," published at Olympia, the following contributions were acknowledged: Monticello Precinct, \$210.50; Boisfort Prairie, \$101.55; Claquato, \$102; Port Angeles, \$30; Grand Prairie, \$15; Chehalis Point, \$14; Clallam, \$41.50; Whidby Island, \$223.37; Yelm Precinct, \$51.67. "The Northwest," published at Port Townsend, reported the total contributed by the mill company at Port Gamble, and its employees, down to October 30, 1862, at \$2,204.35.

As a part of the history of the territory in the civil war, it will be interesting to trace the careers of those officers of the regular army who earlier saw service in it, and with whom its people became more or less acquainted before and during the Indian war. Two among these, Grant and Sheridan, attained first places in command, and won undying fame. Grant had spent only one year at Fort Vancouver, and Sheridan had arrived at that fort in October 1855, and remained in Washington and Oregon until the war began in 1861. Meantime he had been in the skirmishes on the Yakima in which the Rains expedition engaged, and in the fighting at the relief of the Cascades.

The careers of these distinguished officers are too well known to need recital here. Of the others General W. G. Harney was relieved from his command in Oregon shortly

after the San Juan incident, and called to Washington. In April 1861 he was assigned to command in the West, with headquarters in St. Louis. While on his way to his new post he was arrested by the Confederates at Harper's Ferry, and taken to Richmond, where he met a number of his old associates, including Lee and Joseph E. Johnston, who had already joined the secession movement. His loyalty does not, however, appear to have been shaken by the interviews he had with them. He was soon released and permitted to go on his way to his new post of duty. He arrived in St. Louis at a time when the war feeling was at fever heat, and his conservative policy was not at all relished by the Union element, led by Frank Blair and Captain Nathaniel Lyon. His Southern birth* made it natural for the loyal element to distrust him, and his unwillingness to take aggressive measures led to his being relieved from his command. He was soon after reinstated, and published a proclamation declaring that "Missouri must share the destiny of the Union," which for the time being won him the confidence of a large part of the Unionists. But shortly afterwards he entered into an agreement with Governor Jackson and General Price, for the purpose "of restoring peace and good order to the people of the state, in subordination to the laws of the general and state governments," which was deemed so liberal to the insurrectionists, and so compromising to the Federal authority, that he was again relieved from command, and the great opportunity of his life was gone forever.

At the outbreak of the war the officers highest in command of the army were one major-general, who was a lieutenant-general by brevet, and four brigadiers. Of these four, one,

* Harney was born in Tennessee, and appointed to the army from Louisiana.

Twiggs, had been dismissed for surrendering his department to the Confederates, and another, Joseph E. Johnston, had early resigned and been appointed one of the four officers highest in command in the Confederate army. Wool and Harney were the remaining two, and Wool was 75 years old, while Harney was but 61. The new administration urgently needed a commander for its armies, and although Scott, who fully realized that he was too old for active command, had selected Lee, who was then only a lieutenant-colonel in the Second Cavalry, as his successor, his resignation had left the way open for another, and Harney would naturally have been chosen, had he been as prompt and aggressive in asserting the authority of the government as he had been two years earlier at San Juan Island. How difficult the situation was for those who were required to choose a commander, is shown by the fact that, of the three greatest who were finally found, two—Grant and Sherman—were discovered among officers who had served on the Pacific Coast, but had resigned from the army before the war began, and one, Sheridan, was an obscure lieutenant at one of the most remote posts on the Oregon frontier. At the moment there was no officer then in service, whose abilities and experience were so well calculated to command confidence, as those of Harney, had there been no cause to suspect his loyalty.

Lieutenant-Colonel Silas Casey, who was for so long a time in command at Fort Steilacoom, was made a brigadier-general in 1861, and assigned to organize the volunteers in Washington, D. C. He afterwards commanded a division in General E. D. Keyes' corps, on the peninsula, and was in the front at the battle of Fair Oaks, before Richmond, and was brevetted a brigadier in the regular army, and major-general of volunteers for distinguished gallantry. He

subsequently served as president of the board for the examination of officers to command colored troops, and was finally brevetted major-general in the regular army and retired in 1868 with that rank.

Lieutenant Augustus V. Kautz traveled in Europe for a year after the close of the Indian war, and on the breaking out of the rebellion, he was commissioned captain in the 6th cavalry. He was in the Seven Days' battles before Richmond, after which he became colonel of the 2d Ohio cavalry, with which he took part in the battle of South Mountain in 1862. His regiment was then sent to Camp Chase at Columbus, to refit, and he commanded that post until April 1863, when he was assigned to command a brigade of cavalry in the Army of the Ohio. He took part in the capture of Monticello, Ky., and subsequently in the pursuit and capture of John Morgan's raiders. For a time he was chief of cavalry in the 23d corps, and, in May 1864, was made a brigadier-general of volunteers, and assigned to command a division in the Army of the James. He entered Petersburg with a small command in June 1864, and was rewarded with the brevet of lieutenant-colonel in the regular army. He next led the advance in Wilson's raid, which cut the railroads south of Petersburg and Richmond, and in March 1865 he was given command of a division of colored troops, with which he entered Richmond April 3d. Later he was breveted brigadier-general in the regular army, for gallant and meritorious service. In 1866 he was made lieutenant-colonel of the 34th infantry, and in 1874 colonel of the 8th infantry. His last promotion was to the full rank of brigadier-general, after which he was assigned to command the department of the Columbia. After his retirement from the service, he spent a large part

of his time on the Sound, which was his home, and where he acquired a considerable fortune. He died at Seattle, September 4, 1895.

Lieutenant Robert N. Scott, son of Rev. Dr. Scott, was with Haller at Port Townsend. He married a daughter of Gen. Silas Casey. During the civil war he served as an officer of Gen. Halleck's staff.

Colonel George Wright was a native of Vermont. At the beginning of the civil war he was commander of the department of Oregon, and was promoted to the command of the whole coast, with headquarters at San Francisco, in September 1861, with the rank of brigadier-general of volunteers. He remained in this position during the war, and in 1864 was brevetted brigadier-general in the regular army. In 1865, he was again assigned to the department of the Columbia, and while on the way to Vancouver, accompanied by his wife, was drowned by the sinking of the steamer *Brother Jonathan*, off Crescent City, Oregon, July 30, 1865.

Captain E. D. Keyes was promoted major, after the Indian war closed, in 1858. He had served in Charleston Harbor during the Nullification excitement in 1832, and afterwards as an aid on General Scott's staff. He was the latter's secretary in 1860, and in May 1861, after so many of the officers from the South had resigned, was appointed colonel of the 11th infantry. Soon after he was advanced to be brigadier-general. In the Peninsular campaign he commanded the 4th corps, and in 1862 he was made major-general of volunteers. He was engaged in operations along the James River under John A. Dix, during the Gettysburg campaign, though he accomplished but little. He resigned in May 1864 and removed to California.

Captain James A. Hardie, of the 9th infantry, who took part with Wright in the final campaign in eastern Washington, served on McClellan's staff during the Peninsular campaign, and on that of Burnside in the battles around Fredericksburg. He was made a brigadier in 1862, and after 1863 was assistant secretary of war under Stanton, when he was appointed inspector-general, and brevetted a major-general.

Lieutenant David McM. Gregg, of the 1st dragoons, who was also in Wright's campaign, was made a captain in 1861, and soon after became colonel of the 8th Pennsylvania cavalry. He was in the Seven Days' battles before Richmond, and won the rank of brigadier. He commanded a cavalry division, under Stoneman and Pleasanton, and took part in the battles at Beverly Ford, Aldie, Gettysburg, Rappahannock Station and New Hope Church. He commanded the 2d cavalry division, under Sheridan, in 1864, and was one of his principal lieutenants in the great raid in the rear of Lee's army, toward Richmond, while the fighting in the Wilderness was in progress. He finally commanded all the cavalry of the Army of the Potomac, from August 1, 1864, until February 1865, when he resigned.

Major W. N. Grier, of the 1st dragoons, was made inspector-general of the Army of the Potomac, in 1861, and commanded the 1st regiment of cavalry in the Peninsular campaign. He was at the siege of Yorktown, the battle at Williamsburg, and at Gaines' Mill, and took part in the Seven Days' battles. He was afterwards on court martial and recruiting duty, and was finally brevetted a brigadier-general in the regular army.

Captain F. L. Dent, of the 9th infantry, was promoted to the rank of major in 1863, and commanded a regiment of

infantry in the Army of the Potomac. He was sent with his regiment to suppress the riots in New York, in that year, and for a time served on a military commission to try state prisoners, after which he became a member of the staff of Lieutenant-General Grant. He was retired at his own request in 1883, after forty years of service.

Captain R. W. Kirkham, who was Wright's quartermaster and commissary, served with him in the same capacity, in the department of the Pacific, and that of California. In 1870-71 he visited the Far East, in company with William H. Seward.

Captain E. O. C. Ord of the 3d artillery, who was with Rains in one of the first campaigns of the Indian war, and with Wright at the battles of Four Lakes and Spokane Plains, subsequently became one of the most distinguished officers in the Union army. He was at the Presidio in California when the war began, but was called East, and almost immediately made a brigadier-general in the Army of the Potomac. He was in the combats at Dranesville and Ball's Bluff, and later was sent to the Western army, where he participated in the battles before Corinth, and was severely wounded. He afterwards commanded the 13th corps, and the right wing of Sherman's army in the movement against Jackson. His corps was for a time in the department of the Gulf, but in July 1864, he was transferred to Baltimore, and given command of the 8th corps. Later he commanded the 18th corps, and took part in many of the battles about Petersburg. Sherman says that "his skilful, hard march the night before was one of the chief causes of Lee's surrender."

Lieutenant M. R. Morgan of the 3d artillery, who was with Wright in his final campaign, subsequently became a distinguished officer in the commissary department of

the army operating against Richmond. After the war he was commissary-general in several departments, and was finally retired in 1894 with the rank of brigadier-general.

Lieutenant R. O. Tyler of the 3d artillery was sent to relieve Fort Sumpter in 1861, and witnessed its bombardment. He also helped to reopen communication with Baltimore, after the attack on the 6th Massachusetts regiment in that city. He took part in the Peninsular campaign, where he won the rank of brigadier-general, and at Fredericksburg he had charge of the artillery of the Central Grand Division. He won distinction both at Chancellorsville and at Gettysburg, and was subsequently a division commander in the 22d corps. He took part in the battles of Spottsylvania and Cold Harbor in 1864, and at the latter was so severely wounded that he was forever after unfitted for active service.

Captain Rufus Ingalls, of the quartermaster's department, who was on General Harney's staff at the the time of the San Juan affair, subsequently became one of the most distinguished officers in the quartermaster's service in the Union armies. He was chief quartermaster in the Army of the Potomac, under all its commanders, from McClellan to Grant, and was present at the battles of South Mountain, Antietam, Fredericksburg, Chancellorsville, Gettysburg, and nearly all the great battles from the time Grant took command until Lee surrendered. He achieved the rank of major-general, and finally became quartermaster-general of the army.

Colonel Steinberger, of the 1st Washington, was employed as agent for the Pacific Mail Steamship Company, and the Adams Express Company in Portland, before his appointment as colonel, with authority to raise the regiment in Washington and California. After the war he was given

a commission in the pay department of the regular army, in which he rose to the rank of major. He was killed by being thrown from his horse at Helena, Montana, October 13, 1870, and was buried at Fort Shaw.

Charles P. Eagan, who was appointed first lieutenant in the 1st Washington regiment, July 21, 1862, became second lieutenant of the 9th infantry in 1866, and rose through the successive grades to be brigadier-general, and served as commissary general of the army from May 3, 1898 to his retirement in 1900.

General John M. Wilson of the regular army was appointed a cadet at West Point from Washington Territory in 1855. He graduated in 1860, and served as a lieutenant in the artillery at Washington and Fortress Monroe until 1861. He was at the first battle of Bull Run, and in the Peninsular campaign, winning a brevet as captain at Gaines' Mill. He was transferred to the engineer corps in 1862, with which he served till the close of the war. He was then employed in various engineering duties until 1889, when he became superintendent of West Point. Afterwards he became colonel, and finally brigadier-general and chief of engineers.

Lieutenant W. D. Pender, of the 1st dragoons, was a North Carolinian, and was educated at West Point. He resigned from Wright's command in March 1861, and returning East became colonel of the 6th North Carolina regiment. He was made a brigadier in 1862, and a major-general in May 1863. He commanded a brigade at Chancellorsville, and a division in the Gettysburg campaign, where he was mortally wounded in the second day's fighting. In reporting his death General Lee said of him: "This lamented officer has borne a distinguished part in every engagement

of this army, and was wounded on several occasions, while leading his command with conspicuous gallantry and ability."

Major Robert Selden Garnett, who commanded at Fort Simcoe while Wright was making the more active part of his first campaign against the Indians, in eastern Washington, was in Europe when the war broke out, but returned almost immediately, resigned his commission, and tendered his services to Virginia, his native State. He was appointed adjutant-general of State troops, with the rank of colonel, and in June 1861 was made brigadier-general in the Confederate services. He was killed in an engagement in the mountains of West Virginia, during McClellan's campaign in that region in June 1861.

Captain Charles S. Winder was a native of Maryland. He resigned at the beginning of the war, and became a major of artillery in the Confederate army. Later he was made colonel of the 6th South Carolina infantry, and subsequently a brigadier-general. He was killed at the battle of Cedar Mountain.

Of the naval officers, Lieutenant Thomas Stowell Phelps, who was attached to the Decatur, and did good service during the attack on Seattle, was with the relief expedition sent to Fort Sumpter in 1861, and was afterwards engaged in the secret service on the coast of North Carolina. He was in the battle with the gunboat Curlew in Hatteras Inlet, and subsequently in the attack on the batteries at Yorktown and Gloucester Point. At the battle of West Point he did good service in preventing the junction of a large force of Confederates with their main army. He was made lieutenant-commander in 1862, and commanded the Juniata in the attack on Fort Fisher. He was commissioned

commander in 1865, captain in 1871, commodore in 1879, and rear-admiral in 1885.

Captain Guert Gansevoort, who commanded the Decatur in the battle at Seattle, had been executive officer on board the brig Somers in 1842, which was at the time manned chiefly by naval apprentices, and on board which a mutiny occurred, while on the return trip from the coast of Africa. One of the leaders of the mutiny was a son of the secretary of war, but in spite of this fact Captain Mackenzie ordered the leaders arrested. They were tried on board ship, found guilty, and young Spencer, the secretary's son and some of the others were executed at sea. For some time after the beginning of the civil war, Gansevoort was chief of ordnance at the Brooklyn navy yard, and later commanded the iron-clad Roanoke. He was forty years in the service and retired with the rank of commodore.

Lieutenant George Upham Morris greatly distinguished himself by his defense of the Cumberland in Hampton Roads, when she was attacked by the Merrimac, the day before the battle with the Monitor. When called upon to surrender, after his ship had been struck and was a hopeless wreck, he replied that he would sink first. Inspired by his heroic conduct, his crew stood to their guns until the last moment and fired a parting broadside at their assailant when the muzzles of their guns were almost touching the water. This broadside has been referred to as "the final salute of the wooden navy."

Lieutenant E. P. Alexander, of the engineer corps, was stationed at Fort Steilacoom when the war broke out in 1861, although he had been there only a few months. He was a native of Georgia and, as soon as he learned that his State had seceded, resolved to go with it. He sailed from Port

Townsend on April 9th for San Francisco, and "just four years later to an hour," he says in his *Military Memoirs of a Confederate*, "I saw General Lee ride back to his lines from Appomattox Court House, where he had just surrendered his army." Meantime Alexander had become a distinguished officer in the Confederate service; had participated in the Seven Days' battles in 1862, was at Fredericksburg and Chancellorsville, and had commanded the artillery of Longstreet's corps at Gettysburg. In the latter battle he had been in charge of the Confederate guns during the great artillery duel of the third day, the purpose of which was to demoralize the Federal lines on Cemetery Hill, and so prepare the way for Pickett's charge. Longstreet had directed him to give the word to Pickett, when he should think a favorable moment had arrived to begin the charge, but he had shrunk from that responsibility, and notified Longstreet that he would expect him to decide that important matter himself. In his book he has given the best account of this, as well as several other great battles of the war in which he took part, that has so far been written by any who saw them from the Confederate side.

Major Gabriel J. Rains was promoted to be a lieutenant-colonel, just before he resigned from the army in July 1861. He was soon after made a brigadier-general in the Confederate army. He led a division at Wilson's Creek, and was at Shiloh and Perryville. He was then transferred to the Eastern army, where he was wounded, and was then placed in charge of the conscription and torpedo bureaus in Richmond, and afterwards at Charleston, and superintended the placing of torpedoes for the defense of Richmond, Charleston, Savannah and Mobile.

But of all the officers who had seen service in Washington and left it to join the army of the Confederacy, George E. Pickett won the most brilliant reputation. Even if he had not been chosen to lead that famous charge up Cemetery Ridge, he would be remembered as one of the best fighters in that army. "We tried very hard," says General Lee, in reporting one of the battles with Grant's army in front of Petersburg, "to stop Pickett's men from capturing the breastworks of the enemy, but could not do it." His famous brigade, composed wholly of Virginia regiments, was known as "the Gamecock Brigade," and it was as firm and heroic everywhere as in the charge at Gettysburg. Its efficiency was due largely, if not entirely, to the soldierly conduct and ability of its commander. The American soldier is everywhere and always the same; but he requires a leader, for masses of men cannot move themselves. They require to be placed in position, and assured that their energies will be well directed, and they do all that is required of them, and have done so from Lexington to San Juan Hill. If they have failed, it has been the fault of their commanders. It was the soul of Napoleon that inspired the old guard; the soul of Washington that inspired the ragged and ill-fed soldiers of the revolution; the souls of Grant, and Sherman, and Sheridan, and Lee, and "Stonewall" Jackson, that inspired those of the civil war, to do the heroic deeds they did on many fields. It was the soul of Pickett that inspired Pickett's brigade, and it was the same soul that first found itself at San Juan Island.

Pickett resigned June 25, 1861, and went to Portland to take the steamer to San Francisco. Edward Huggins, who knew him well, saw him as he passed Fort Nisqually, and says "he rode straight forward, looking neither to the right

or left, and I did not speak to him." He was given a colonel's commission when he reached Virginia, his native State, and in 1862 was made a brigadier, and a few months later, after the close of the first Maryland campaign, a major-general. He was in most of the great battles fought by the Army of Northern Virginia, except Chancellorsville. General Grant took a special interest in him after the war closed, and early relieved him from the limitation of his parole requiring him to remain at his home, by a special letter written with his own hand.

Captain C. C. Augur, of the 4th infantry, whose company with that of Haller's charged the Indians at the battle of Two Buttes, in the futile Rains' campaign, won distinction in the Army of the Potomac, and in Louisiana. He was severely wounded at Cedar Mountain, and was a member of the commission that investigated the surrender of Harper's Ferry. He was made major-general of volunteers in 1862 and commanded the right wing of the army at the siege of Port Hudson. From October 1863 to 1866 he was in command in the city of Washington.

Captain D. A. Russell was engaged in the defenses of Washington during the winter of 1861-62, and afterwards appointed colonel of the 7th Massachusetts regiment. He was in most of the great battles in the Peninsular campaign, and later at Antietam, after which he was promoted brigadier-general. Later he was at Fredericksburg, Salem and Beverly Ford, and commanded a division in the 6th corps in the battles of the Wilderness, Spottsylvania and North Anna. He was sent with Sheridan to the Shenandoah Valley, and was killed at the head of his column, at Opequan.

There were other officers of the 4th and 9th infantry, and the 3d artillery who won distinction after serving in the

Indian wars in Washington. Among these were Lieutenant J. W. Forsythe, who was for many years General Sheridan's chief of staff, Lieutenants Robert McFeely and D. B. McKibben, who were prominent in the quartermaster and commissary departments, and Captains John H. Winder and James J. Archer, who rose to the rank of general in the Confederate army. The latter was taken prisoner in the first day's fighting at Gettysburg.

Major Granville O. Haller's intimate connection with many of the leading events of the Indian war has already been frequently mentioned. After that war he was stationed at Port Townsend and Bellingham, and at the latter place suppressed an incipient Indian uprising, which broke out just as he was leaving for San Juan Island, in 1859. In 1860 he was sent to Fort Mojave in Arizona, where he remained until 1861, when he was ordered East. On arriving in New York he found that he had been already made major of the 7th New York regiment, but as it had been captured and paroled, and could not enter active service again until exchanged, he reported to General McClellan, and soon became a member of his staff. Later the 93d New York regiment was assigned to him, as general headquarter's guard. After serving through the Virginia and Maryland campaigns, on the Rappahannock, under Burnside, and for a short time under Hooker, he was made provost-marshal-general for the State of Maryland, and during the Gettysburg campaign was a member of General Couch's staff, at Harrisburg. When Early was approaching the Susquehanna, he was sent to warn the farmers to remove their horses and cattle across the river and to take such measures as he could by aid of the citizens, to prevent the rebels from crossing by the Columbia bridge, and he was near

at hand when the bridge was burned, and Early forced to turn back.

Shortly afterwards he was relieved from command and dismissed from the service by order from the war department, "for disloyal conduct, and the utterance of disloyal sentiments," and although he made persistent demand for trial, and to be confronted with his accusers, this was steadily refused and he was never able to learn who his accusers were, or the specific charge they made against him, until 1879, when his case was heard by order of Congress and he was triumphantly vindicated.

Meantime he had returned to Washington, where he had engaged in farming and milling on Whidby Island, and in merchandising at various points, with varying success. After his restoration to the army, with the full rank of colonel, he was assigned to command the 23d regiment, and remained with it until 1882, when he was retired.

But Washington's great soldier and greatest contribution to the Union cause was Major-General Isaac I. Stevens. He had served the territory well as a delegate in Congress, through one term; had been reëlected, and was working earnestly and with untiring industry to promote her interests, when the war broke out. He had secured the ratification of his Indian treaties, completed the report of his railroad reconnaissance, which he had pushed through in spite of all opposition, and secured many appropriations for building roads, and making other improvements that were urgently needed, as well as for paying the war debt. He had also made many speeches in Congress, and public addresses in various places, of which the far-away territory was the unvarying topic. No man then living knew so much about its actual wealth in natural resources, and few who are now alive appreciated

more fully its possibilities for future development. No one who has ever lived has done more to bring it into general notice, and prepare the way for its advancement. His railroad survey was the means on which he chiefly relied to bring it into connection with the older portions of the country, and so hasten its development. At that time it was opposed by the South, which then dominated both branches of Congress, while it aroused but little interest in the North. But his interest in it never wavered, and opposition only stimulated his efforts. As a means of advancing it, as well as of affording a new road for settlers through the mountains, he secured a liberal appropriation to open a wagon road from Fort Benton to Walla Walla, and sturdy John Mullan, who had been his most efficient lieutenant in the survey, built it, and it bears his name to this day. Other roads were opened, notably one from Olympia to Vancouver; new postal routes were established; aids to commerce of various sorts in the Sound and Straits of Fuca, and along the Columbia were provided for, and much else was done that to most other men would have seemed, and possibly have been, impossible.

While engaged in this important work for the benefit of his constituents, Governor Stevens did not fail to take an active and zealous interest in general politics. He was active and prominent in the councils of his party, and was accustomed to hear the threats of disunion then so frequently made, though he did not believe those who made them seriously intended to carry them into execution. He attended the Democratic National Convention at Charleston in 1860, as a delegate for Oregon—as Washington being a territory was not then represented in such assemblies—and earnestly advocated the nomination of his friend, Ex-Governor Lane,

for president. The convention was disrupted, as is now well remembered, and the factional convention which subsequently assembled at Richmond, nominated Breckenridge for president, and Lane for vice-president. Stevens was made chairman of the executive committee, and conducted an active campaign in all the States, though the party, being now divided, had no hope of success.

During the anxious months which intervened between the election and inauguration of Mr. Lincoln, Stevens did what he could to stem the tide of disunion, and when war became inevitable, he was among the first to begin active measures to save the government. During the winter he helped to organize the militia of the District of Columbia, and frequently called upon President Buchanan, to urge him to resist the demands of the secessionists. In March he returned to the coast, confidently expecting a renomination at the convention of his party which was to be held in May. The convention met at Vancouver, but although his friends seemed to be in the majority, he was not successful, and Selucius Garfielde won the empty honor, and was defeated at the election by William H. Wallace.

In a letter dated at Portland May 22d, Governor Stevens tendered his services in the field to the secretary of war, and on his arrival in New York, he was appointed colonel of the 79th Highlanders, a regiment which had been badly cut up at Bull Run, and was now much demoralized. It was in fact in a condition of mutiny, but its new colonel soon established discipline, and although its members were for a time resolved to disband and go home, they soon submitted to discipline, and became one of the best regiments in the service.

Colonel Stevens was appointed brigadier-general in September, and sent south with the expedition to Port Royal, the Highlanders being part of his brigade. He was present at the attack on the Confederate batteries on the Coosaw, and Stone River, and commanded the main column in the attack on Secessionville. After the retreat of McClellan from the James River, he was recalled to the defense of Washington, was made a major-general and assigned to the command of a division in Pope's army. He distinguished himself in the battle of Mannassas, the second Bull Run, and was killed two days later at the battle of Chantilly, late in the afternoon of September 1, 1862. He fell at a time when a thunderstorm, so terrific that the roar of battle could scarcely be heard above it, was just breaking over the field. The dense clouds had almost obscured the light of day, although it was scarcely later than 5 o'clock. The Confederate forces, flushed with the advantages they had gained during the preceding days, were advancing to the charge, and the Union troops were beginning to give way, when Stevens, seizing the colors of his old regiment, the 79th, was riding along the line to rally them, when a bullet struck him in the temple and killed him instantly.

Within the same hour another major-general, equally beloved, and an equally aggressive fighter, the gallant Phil. Kearney, fell shot to death on the same field. The stirring lines of Edmund Clarence Stedman, entitled "Kearney at Seven Pines," might have been as appropriately written of one as the other:

O, evil the black shroud of night at Chantilly,
That hid him from sight of his brave men and tried!

Foul, foul sped the bullet that clipped the white lily,
The flower of our knighthood, the whole army's pride!
Yet we dream that he still—in that shadowy region
Where the dead form their ranks at the wan drummer's
sign—
Rides on, as of old, down the length of his legion,
And the word still is "Forward!" along the whole line.

CHAPTER LIII.

PROGRESS OF EVENTS.

FEW of Governor Stevens' immediate successors were able to direct events as he had done. Happily they were rarely called upon to do so. J. Patton Anderson, ex-marshal and ex-delegate in Congress, who was appointed governor, when Stevens resigned immediately after his election as delegate, did not qualify, and Fayette McMullen of Virginia, his successor, spent a considerable part of his term of office outside the territory. He sent but one message to the legislature, and that was delivered soon after his arrival, and contains little that is or was of value. It bears no evidence that he was a man of ability or special fitness for the office, and its most important suggestion was that the legislature should protest against the attempt of Oregon to annex the Walla Walla region. After securing a divorce from his wife, by act of the legislature, he married a Miss Mary Wood of Thurston County, and returned to Virginia in July 1858. He subsequently became a member of the Confederate Congress. Secretary Mason again served as governor until the close of McMullen's term, when Richard A. Gholson of Kentucky was appointed.

The most serious matter that McMullen was called upon to deal with while in the territory, was the attempt of the military officers at Fort Steilacoom, and the Hudson's Bay people at Nisqually, to save Leschi from the gallows. He dealt with this with firmness, and was supported in the course he followed by a strong preponderance of public sentiment.

Gholson arrived in the territory early in July 1859, and within three weeks thereafter, on July 18th, Secretary Mason died, after an illness of only three days. Mason was almost universally beloved by the people of the territory, whom he had now served for nearly six years, half of which time

approximately he had been acting governor. Although but twenty-nine years old when he died, he had met all the grave responsibilities of that high office with ability and promptness, and discharged all its duties with such fidelity and success, as to meet the approval of those for whom he acted, as well as of the people generally. His funeral was held in the capitol, and Governor Stevens, who was then in the territory, pronounced his funeral oration. He was buried at Bush's Prairie, beside his friend George W. Stevens, the governor's nephew, who had been drowned at the crossing of the Skookum Chuck in February 1856. In January 1864, the legislature changed the name of Sawamish to Mason County in his honor.

Gholson served both as governor and secretary until Henry M. McGill was appointed to the latter office. McGill arrived at Olympia in November, and in the following May Gholson returned to Kentucky, where he made an ineffectual attempt to take that State out of the Union. He did not return to the territory, and McGill served out his term as acting governor.

While Gholson was in the territory, the San Juan episode engaged public attention to a large extent. The northern Indians were still troublesome, and their incursions gave both the settlers and the authorities much cause for alarm. But the governor found no means to make effective defense against their raids, and the settlers were left to defend themselves as best they could. Although the territory now had "about 1,000 muskets," as he informed General Harney,* "150 of which were rifled," and although he had "an abiding faith that the citizens of the territory will, with enthusiastic alacrity, respond to any call necessary for the defense of

*Letter of August 21, 1859.

individual rights, the rights of their country, or their country's honor," he made no arrangements for them to defend themselves. It was during his administration that the little ships *Blue Wing* and *Ellen Maria* were attacked and all on board murdered near Vashon Island. D. Hunt, a deputy-marshal, was also murdered on Whidby Island, and seven miners on their way to Fort Langley, on the Fraser, were massacred. A white woman was captured about the same time and carried away into captivity. It was not safe for any but armed parties to go anywhere upon the waters of Admiralty Inlet, among the islands of the San Juan Archipelago, or along the shore of Bellingham Bay.

It would seem that such a condition of things would have prompted a governor who "had large ideas of the importance of an executive position," as Gholson is said to have had, and with so many resources at his command, to organize a defense that would be effective. A moderate force, under the command of an energetic and experienced Indian fighter like Maxon, or indeed almost any of the captains or lieutenants of the 2d regiment, would have kept these marauders in check, and given the inhabitants of the islands complete protection. But Gholson apparently had no thought of preparing any means for defense so reasonable and so effective. Instead, he is said to have contemplated issuing a proclamation authorizing the citizens to fit out vessels to make reprisals on the inhabitants of British Columbia, because their government did not prevent the Indians from crossing the boundary to commit these depredations.*

*Bancroft quotes Strong as saying that Gholson "finally hit upon the happy project of getting out a proclamation, authorizing the citizens of the territory to arm and fit out vessels for the purpose of making reprisals against the English for permitting the northern Indians to leave British Columbia and commit depredations in Washington Territory—regular

After Mr. Lincoln became president, W. H. Wallace was named as governor. He was in Washington when the appointment was tendered him, having gone there as a representative citizen and an old acquaintance of the president, to recommend the removal of some territorial officials whose loyalty was distrusted and secure the appointment of others whose patriotism there was no occasion to doubt. During his absence he was nominated by the republicans as their candidate for delegate, and upon his return he accepted the nomination, and never qualified as governor. The election was then drawing near and if he assumed the office he would be required to resign it in a few weeks if elected delegate. Moreover the capital fight was then getting very warm, and as governor he would be drawn into it in a way that might prejudice his chance of election as delegate, while as a private citizen he might practically leave the question aside. He accordingly allowed Mr. Turney, the new secretary to act as governor until William Pickering of Illinois, an old acquaintance of the president, was appointed. Pickering was past sixty years of age, and not a man of great experience in managing public affairs, yet he proved to be a very acceptable governor during the four ensuing years. Pending his arrival in the territory, L. J. S. Turney, who had succeeded McGill as secretary, acted as governor for some months. Elwood Evans succeeded Turney as secretary in 1862, and held the office until 1867, during which period he was also acting governor at various times.

letters of marque and reprisal! Strong, to whom he showed the proclamation, assured him it would make him the most famous man upon the Pacific Coast. But Tilton, who was also informed of it, put a stop to it." Bancroft's "Washington," p. 212.

Up to this time all the governors except Stevens had been absent so much of the time that the legislature, in January 1866, adopted a memorial praying Congress to permit the citizens of the territory to elect their own officers. "During the past year," this memorial said, "two of our three judges have been absent from the territory for many months, and both at the same time, so that in consequence of their absence, the people of the territory have suffered serious inconvenience and embarrassment." It further recited that the territory was so far from the seat of government, and its special and business relations of such a peculiar character, as "to require that they be put in charge of the best of men acquainted with them, and we are satisfied, from our past experience as a territory, that men cannot be found, as a general rule, to be sent to us from abroad, who will have or can have that identification with our interests which is required for the intelligent and faithful discharge of the duties of office among us."

But this earnest cry and prayer did not prevail, and the general government continued to appoint governors, secretaries, marshals, attorneys and judges for the territory, as for others, for more than twenty years longer.

The people of the territory had shown an active interest in their public affairs, even when it was a part of Oregon. At the first election after their arrival, their votes had determined the choice of governor for that territory, but no party organizations seem to have been formed or attempted until after the separation. Then steps were soon taken to organize the Democratic Party, and a Whig organization, which put W. H. Wallace in the field as candidate for delegate against Columbia Lancaster, was formed a little later. In 1855, J. Patton Anderson, Democrat, defeated Judge

Strong, the Whig candidate, and Joseph Cushman, who was at that time manager for the Kendall Company, a trading concern which owned ships and maintained a general store in Olympia, received forty-one votes as the candidate of the Free-Soil Party. All the conventions were held that year at Olympia. There were forty-seven delegates in that of the Democrats, and the candidates were: Columbia Lancaster, Governor Stevens, Isaac N. Ebey, J. Patton Anderson, Harry R. Crosbie, Charles H. Mason and Henry C. Mosely. Governor Stevens' name was withdrawn after the tenth ballot, but no nomination was made until the twenty-ninth, when Anderson won. The Whig convention was composed of forty delegates, and Elwood Evans presided. The candidates were: W. H. Wallace, Judge Gilmore Hays, George Gibbs, William Strong, Alexander S. Abernethy and Hugh A. Goldsborough. Twenty-one ballots were taken before a choice was made.

The legislature met annually and was always Democratic until the winter of 1862-63. The members of the lower house were chosen annually, as were the county officers; members of the Council were elected for three years. The campaigns were usually spirited, particularly in the alternate years, when a delegate to Congress was to be chosen. In 1858 the name Whig began to disappear and Republican to be substituted. While this probably did not affect the organization, as the Whigs, with the addition of the Free-Soilers, really became the Republican Party, the Democrats regularly elected the delegate until 1861, when W. H. Wallace defeated Garfield.

The Democratic territorial convention was held that year at Vancouver, and while Governor Stevens had returned to the territory from Washington, in the hope and expectation

of securing a renomination as delegate, he was defeated. He had been too actively and openly opposed to secession to please some of the delegates who had come to the territory from the Southern States, and since his return had so frankly avowed his determination to sustain the new administration in enforcing the laws and maintaining the Union, as to displease others. He had been chosen captain of a military company, the organization of which had been begun at Olympia after his arrival, and had accepted, and this seems to have displeased others who were not disposed at that time to go so far as to take up arms to sustain a Republican president. News of the attack on Fort Sumpter had only recently been received, and many of the delegates felt that they must soon decide for themselves, whether they would support the Lincoln administration in defending the Union, or encourage the secessionists in their determination to destroy it. They were not quite prepared to make the decision, and therefore, although friendly to Stevens, were reluctant to approve the course he had chosen by giving him a renomination. But he was able to secure the adoption of resolutions favoring the Union, and then gracefully accepted the nomination of his principal competitor.

This halting policy had the same effect on the party in the territory as in the states. The more ardent Unionists in it went over, temporarily at least, to the opposition; the remainder, though loyal to the Union for the most part, when they saw how the issue was made up, and rendering it loyal support, nevertheless became the minority party, and, although strong enough to elect some of their candidates now and again, generally remained in the minority for a number of years. In 1863, George E. Cole, a Democrat, was elected delegate. This was the year in which great

Democratic gains were made in most of the older States, outside of New England, and the Republican majority in Congress was greatly reduced. Cole had been a resident of Oregon until two years previously, but had gone to eastern Washington during the gold excitement, and engaged in steamboating and general business. He had two competitors, the regular Republican nominee being Joseph Raynor, a Methodist preacher, who, like himself, had been a resident of Oregon until two years earlier, and L. J. S. Turney, the ex-secretary of the territory, who received only 98 votes. Cole's majority over Raynor was 185, and the total vote cast was 3,057.

Two years later A. A. Denny was elected over James Tilton, who had been adjutant-general during the Indian war, and had removed Denny from the command of Company A. Tilton had come to the territory as its first surveyor-general, and was a Democrat appointed by a Democratic president. He was, however, a loyal supporter of the Union cause, although he did not escape being classed as a "Copperhead," as sympathizers with secession were called, during the campaign. He was opposed by some of his old-time party associates, who had gone over to the Republicans, most notable among these being Selucius Garfield, who only four years earlier had been the Democratic nominee. Denny had been a member of every legislature from that first elected after Governor Stevens' arrival, down to 1861, when he was appointed register of the land office at Olympia, which position he held until elected delegate. He served but one term as delegate and was succeeded by Alvan Flanders, who defeated Frank Clark, the lawyer who had defended Leschi, by a majority of only 153 in a total of about 5,000 votes. Flanders was a

Republican who had left the Democratic Party before the war began. He had come to the coast in 1851, and had lived in San Francisco for several years. He had served two terms in the California legislature, had held a position in the mint, and afterwards in the land office at Humboldt. He had come to Washington in 1863 and engaged in business at Wallula.

So far in the history of the territory, party attachments had been regulated, for the most part, by party issues. Democrats, Whigs and Republicans had loyally supported the candidates of their parties, and local or personal influences had rarely been strong enough to make changes that were perceptible in the returns. In Stevens' time, it is true, personal feeling ran high, especially in his first campaign, when his course in proclaiming martial law was still the subject of excited discussion, and some Democrats opposed, and some Whigs supported him. But this disturbing influence gradually wore away, and those who had temporarily abandoned the standards they were accustomed to follow, returned to their allegiance. But now President Johnson's quarrel with his party, which began soon after he took office, had caused some changes of party alignment, as it had in most other states and territories. The "Washington Standard," which had been established as a Republican paper at Olympia in 1860, followed Johnson over to the Democratic Party, and some Democrats who had voted for Mr. Lincoln in 1864, and for other Republican candidates during the war, as the surest and best means of sustaining the Union cause, now went back to their earlier allegiance. This to some extent, no doubt, accounted for the small majority Flanders received over Clark in the election for delegate.

In November 1866, Johnson removed Pickering, who had then served a little more than four years as governor, and appointed Cole, who had served one term as delegate. Pickering, although a man of but little education, and past sixty years of age at the time of his appointment, had made a very acceptable governor, and the legislature adopted and forwarded a memorial protesting against his removal. He was a voluble talker and writer. Like Mr. Lincoln, whose acquaintance and friendship he had enjoyed for thirty years, he was fond of stories and story-telling, and it is said of him that he could never begin a story and tell it straight through to the end without being reminded of another and still others, all of which he would weave into the general narrative, so that when he finally concluded the tale he had first started to tell—which he invariably did, if his auditors had patience to listen—it would be found that he had told a whole series of anecdotes. But his messages to the legislature, of which there were five, show no evidence of this volubility. They are for the most part succinct and straightforward statements of the affairs of the territory for the time being, and the few recommendations made were creditable, though of more importance at the time, than interesting at present. He early urged that provision be made for codifying and publishing the statutes of the territory, which up to that time had been printed only in pamphlet form at the close of each session. He twice recommended that the Nachess Pass road, which, after the Indian war, had become practically impassable, be so improved that immigrants might use it, and that a better road be opened through the Snoqualmie Pass, which he believed to be entirely practicable.

No home for insane persons had yet been provided, nor any place for the safekeeping of criminals under sentence

to the penitentiary. Insane persons, and the feeble-minded or intellectually defective, were cared for by the Sisters of Charity at Vancouver, at a contract price for each individual. While there was no complaint about the treatment given them, the governor thought a time had come when the territory should begin to do what it must do eventually, by providing an institution of its own for them. But this was not done during his time. When the contract with the Sisters expired in 1866, another contract was made with James Huntington and W. W. Hays at Monticello, and the eleven patients were transferred to their keeping. There they remained until 1871, when a new contract was made with Hill Harmon, to care for them for a term of five years, and they were removed, in August of that year, to the old site of Fort Steilacoom, where the present asylum for the western part of the State is now located.

While the patients were still to be cared for by private contract, the territory had begun to provide for taking them under its own care. The troops had been finally withdrawn from Steilacoom in 1868, and the post abandoned. In December 1869, the legislature had passed an act, making the governor and territorial auditor a board of commissioners to purchase the buildings which had been occupied by the officers and soldiers, from the national government, and turn them over to the commissioners who had been previously appointed to look after the care of the insane, to be fitted up at the cost of the new contractor, for their reception. The purchase was made in January of that year, for \$850. The buildings were then so changed and remodeled that the governor was able to report to the legislature, that while there had been no cause of complaint with the old contractors, "it cannot be denied that the change to the present

institution, it being better adapted for that purpose, has already had a beneficial influence on the inmates."

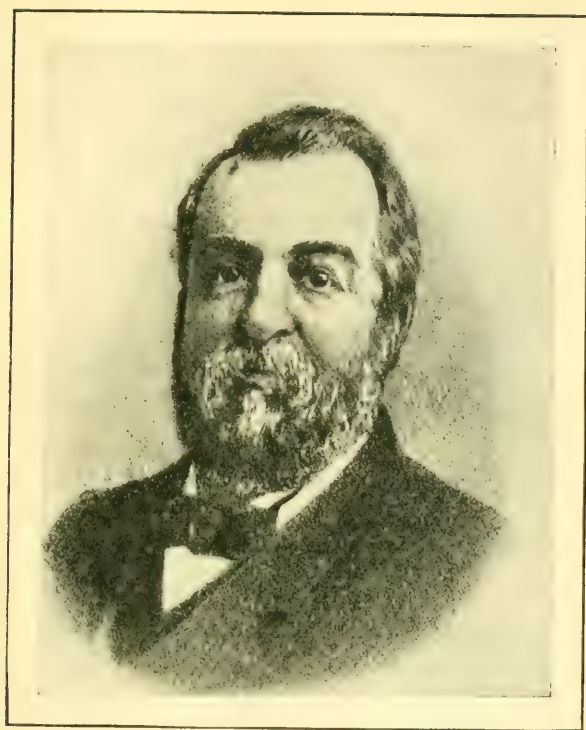
These first asylum buildings were two in number, one 152 by 54 feet in size, which was divided into two wards, one of twenty rooms for male patients, and one of ten rooms for the females. Each ward was heated by a large box stove, with a sheet-iron drum, and each stove was enclosed with iron railings to keep the patients from being burned. A second building, 60 by 32 feet in size, contained a kitchen, and separate dining-rooms for the male and female patients. Twenty-three patients were removed to these buildings when they were ready for their reception.

Up to the time Pickering arrived in the territory, unhappy married people had usually applied to the legislature for divorces. At nearly every session, one or more acts had been passed, separating wives from husbands, or husbands from wives, and the divorce business had been particularly active during the two preceding sessions, at one of which fifteen and the other seventeen such acts had been passed. Secretary Turney, as acting governor, had declaimed against this practice in the flamboyant message he sent to the legislature in December 1861, but no attention was paid to his recommendation that it be discontinued. Pickering renewed the recommendation in his first message, pointing out that the law declared marriage to be a civil contract, all breaches or violations of which were proper subjects for the judiciary alone. The courts alone could hear the testimony of the parties, and they alone could render final judgment and decree for alimony, and determine which of the parties should have the care and custody of minor children. Although sixteen divorces were granted at this session, an act was passed at the succeeding session which practically

ELWOOD EVANS.

This pioneer lawyer was intimately associated with Governor Stevens for a time, and afterwards practised law in Olympia and Tacoma. He wrote and published a History of the Pacific Northwest, which contains a vast amount of accurate information.







committed the granting of divorces to the courts, and the practice of applying to the legislature was discontinued.

The organic act, which was in effect the constitution of the territory, provided that all acts of the legislature should be submitted to Congress for its approval, before they should become effective, but in 1864 a change was made, by which approval by the governor was required. Most of the acts passed by the succeeding legislature in the winter of 1864-65 were approved or vetoed by Elwood Evans, who had succeeded Turney as secretary in 1862, and was acting governor much of the time. Some were approved by the governor himself, and at least one was vetoed by him. This was "an Act to Incorporate the Skaget [*sic*] River Log-Driving Company, for the Purpose of Removing Obstructions to Driving or Floating Logs Down the Skagit River." The governor's exceptions to it were that it gave the incorporators authority to build booms, impound logs and charge 75 cents per thousand feet therefor, while it did not require them to make the improvements described in the title of the act at any specified time or ever. The price they were authorized to charge, the governor regarded as exorbitant, and he entered into a computation to show that, according to the estimates of those who were supposed to know most about the standing timber along the banks of the Skagit, within two miles on either side of it, all of which would ultimately be floated down to these booms, there were approximately eight billions of feet. The act, therefore, gave the incorporators power to tax the lumber industry of the Skagit region six million dollars, if the timber should all be cut away within twenty years.*

*House Journal, Session of 1864-65, p. 232.

In the winter of 1859-60, the legislature amended and elaborated the general, civil, criminal and probate practice acts, and also the act regulating the practice in justice courts. As Judge Chenoweth, who had now retired from the bench, was a member of the lower house, and chairman of its judiciary committee during this session, these acts were doubtless largely the result of his efforts. They were again revised and amended at the session of 1862-63, when Thomas M. Reed was speaker of the House, and the judiciary committee was composed of Messrs. Frost, Potter, Hubbs, Eagan and Andrews.

These early legislatures were composed for the most part, of men unlearned in the law, and in some degree at least, unfamiliar with books. They were men accustomed to work with their hands rather than their heads, though they were by no means lacking in intelligence. Most of them, if not all, belonged to that class which Mr. Lincoln so firmly relied upon, and so often described as "the plain people." There were always lawyers among them, like John M. Chapman, D. F. Brownfield, D. R. Bigelow, Gilmore Hays, F. A. Chenoweth, H. G. Struve, John J. McGilvra and later O. B. McFadden, but the majority were men who were but little familiar with legal forms or parliamentary methods. And yet their work compares favorably with that done by earlier legislatures in any of the older states and territories. They chartered some railroads that were never built, passed many acts to legalize the acts of their neighbors in office, whose inexperience had led them to make many blunders, also many private laws, authorizing individuals to build bridges or establish ferries, and incorporated several companies for various purposes, to which far more liberal powers were granted than would have been

given had the legislators more fully comprehended the scope and meaning of what they did. But there appears to have been no suspicion at that time that any vote for these measures was cast from an improper or sordid motive. No member was charged with corruption, nor were the sessions much disturbed by lobbyists. Some curious laws were passed, and some that now seem entirely frivolous. One of these was passed January 6, 1863, and was entitled "an Act to Prevent the Depreciation of United States' Legal Tender Notes."

No general incorporation law was passed until 1866. Previous to that time all sorts of societies and companies had been chartered by special enactment. During the session of 1858-59, lodges of the Sons of Temperance were incorporated at Olympia, Steilacoom, Monticello, Vancouver, Tumwater and Grand Mound. At the preceding session, the Steilacoom Literary Association of Washington Territory, and the Olympia Musical Association were incorporated. Some of the Masonic and Odd Fellows lodges and some churches also applied for and were given corporate authority. The Seattle Library Association was incorporated in 1859-60, and the Washington Fire Engine Company No. 1 of Walla Walla, in 1865. A company to supply gas to the city of Lewiston was chartered in 1863, and one to lay water-pipes in Seattle, in 1865.

When Ex-Delegate Cole received notice of his appointment as governor, he went immediately to Olympia, and assumed his office, without waiting for the approval of the Senate. This was never given, as the Senate in the winter of 1866-67 was not approving President Johnson's nominations, until a majority of its members were fully convinced that they were in every way unobjectionable. They never

became convinced of Cole's fitness, though he held the office until several other appointees were, like himself, rejected.

Finally General Marshall F. Moore of Ohio was appointed and confirmed. Moore had entered the army early, and had won distinction, first with McClellan in West Virginia, and afterwards in the Army of the Cumberland. He had been in the battles of Rich Mountain, Shiloh and Chickamauga, and had been severely wounded at Missionary Ridge. He was with Sherman until Atlanta fell, and had been made a brigadier for gallantry shown in the fight at Jonesboro. His wounds had finally compelled his retirement from the service, when he was given the brevet rank of major-general. He was a man of much ability, and his message sent to the legislature in December 1867, only a few months after his arrival in the territory, showed that he had made a painstaking study of its resources and the requirements necessary for their development. In it he noted the progress of settlement, as shown by the reports from the land offices at Olympia and Vancouver, and the profitable employment of the people evidenced by the increase in the variety of their occupations, and the development of new transportation facilities, as well as by the enlarged volume of product. The lumber manufactured on the Sound alone now amounted to more than four hundred million feet annually. The people of Walla Walla County, although numbering only forty-five hundred, had produced during the year nearly one and a quarter million bushels of grain, besides other products, and a large amount of stock. New steamboat lines had begun operations on the Chehalis and Cowlitz rivers, thus opening up their rich valleys to settlement, and furnishing an outlet for their surplus produce. The grand project of connecting the Great Lakes with the Sound had

“assumed tangible shape,” and the speedy completion of a railroad over the route which Stevens had surveyed had become “almost a certainty.”

He also pointed out that two treaties had been made by the general government since the last meeting of the Territorial Assembly, that were likely to be of advantage to all the people of the coast. One of these was a treaty of reciprocity with the Sandwich Islands, which had not yet been ratified, but, if ratified, would permit the sugar and other products of the islands to be delivered to us at greatly reduced prices, while the demand for our lumber would be increased. The other was with the Russian government, and by it we had secured Alaska. This acquisition had given Washington “a comparatively central position with respect to our entire possessions on the slope,” and added materially to her geographical importance. “This extension of the national boundaries,” the governor said, “will give a new impetus to the commerce of the northern Pacific, and open a new market to our productions. The change in the nationality of that part of the Pacific Coast will have the effect, also, of stimulating the whale and cod fisheries in that region. In these fisheries our people have a direct interest, since, in the nature of things, the fleets engaged in them must draw their supplies largely from our territory, and establish depots in our waters.”

The governor did not apparently know, and most people do not yet know, that the interest of our national government in Alaska was awakened by a memorial adopted by the legislature of Washington Territory, in January 1866. But that this is the fact we have the testimony of Senator Sumner, who was then chairman of the committee on foreign relations of the Senate. In his speech in support of the ratification

of the treaty, he quotes this memorial, saying that previous to its reception the subject of the fisheries along the northern coast, their probable importance, and the prospect of their cession by the Russian government to a fishing monopoly, had been the subject of casual remark in Washington, and that this memorial arrived at an opportune time. It was addressed to the president, and so called his attention and that of Secretary Seward, and other members of the cabinet, to the wealth and importance of the fisheries on the Alaskan coast, and really first suggested the desirability of acquiring that country from Russia.

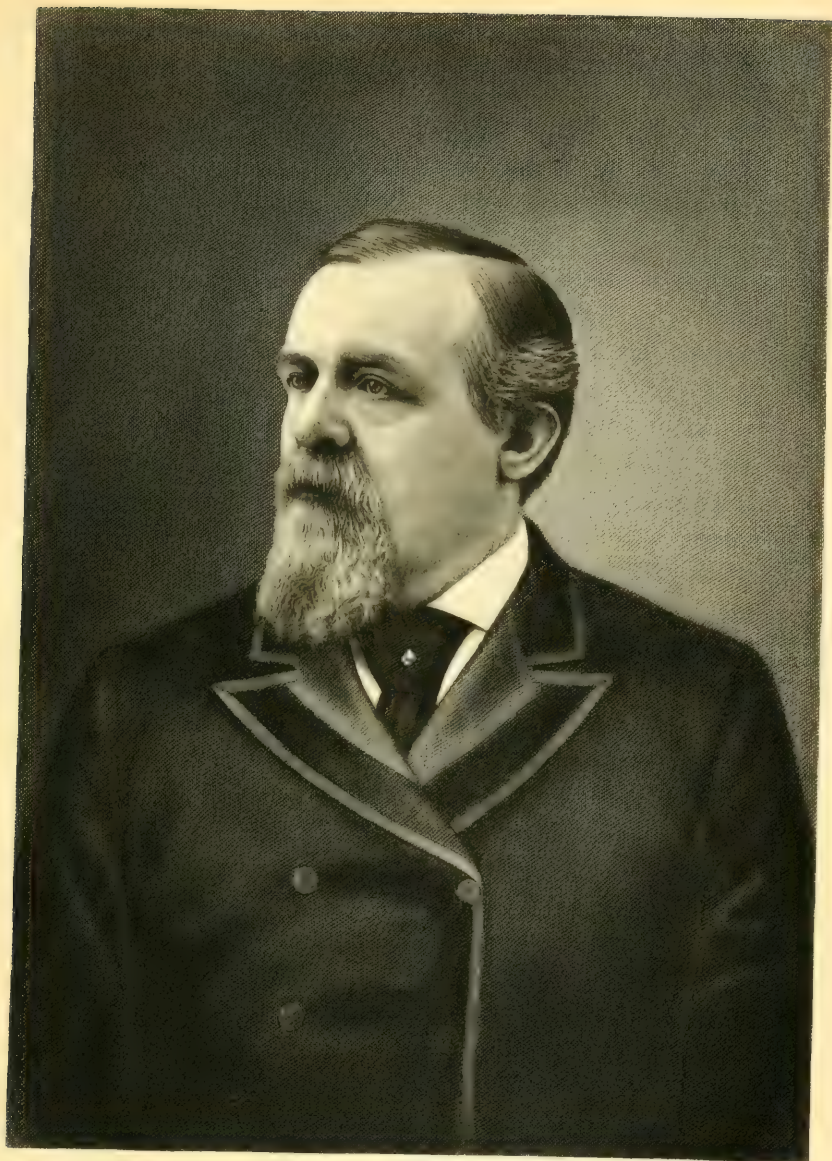
This memorial was drawn by H. G. Struve, who was then a member of the House of Representatives, and chairman of its judiciary committee. His attention was turned to the matter by a man named McDonald, who was engaged in the fishing business at Seattle, and who, a year or two previously, had made a trip northward as far as the Russian possessions, where he had encountered great hardships, and had returned barely alive. So jealous was the fishing monopoly, which then ruled in that region, under its arrangement with the Russian government, that he had not been allowed to land, even for the purpose of getting water. The information he brought back in regard to the fish in those waters, and the value of the fishing industry, if arrangement could be made to admit American fishermen to its development, fixed Struve's attention, and the result was this memorial,* which led ultimately to the treaty of cession, and the acquisition of a country which many wise statesmen of the time believed to be valueless, but which for a score of years past has annually poured into our ports a trade of more

*Address by Judge Hanford at the memorial meeting of the bar of Seattle, after Judge Struve's death.

HENRY G. STRUVE.

Author of the memorial of the Washington legislature which led to the purchase of Alaska. He was born in the Grand Duchy of Oldenburg, November 17, 1836; came to California in 1853, and was admitted to the bar of that state in 1859; removed to Washington in 1860, where he engaged in newspaper work at Vancouver, and soon became district attorney, a position which he held for nearly four terms. He was several times a member of the legislature, and was secretary of the territory from 1873 to 1876, when he was appointed commissioner to codify the laws of the territory. He then returned to the practice of law, as the head of the firm of Struve, Haines & McMicken, afterwards Struve, Hughes, Allen & McMicken, and continued in it until his death.

Henry G. Struve



W. J. Trine

value than its entire original cost; which now sends out annually gold dust of greater value than that cost, and both the output of gold, and the value and profits of its commerce, are steadily and rapidly increasing.

It is interesting to note, now, how the members of the lower house at those several sessions of the legislature were apportioned. Under the organic act, the council always consisted of nine members, who were elected for three years, but the members of the lower house were elected annually, and their number for the first year was eighteen, which was to be increased from year to year as the population increased, but should never exceed thirty. During the earlier years, of course, and until after the close of the Indian war, there were no representatives from east of the mountains. After that time the apportionment was changed frequently, and sometimes at every session, and the changes made indicate, sometimes in a striking way, how settlement was progressing. For example, the apportionment made in 1857-58 gave Clarke County five members, Thurston six, Pierce three, Lewis two, Cowlitz and Wahkiakum two, while King, Island, Whatcom, Jefferson, Snohomish, Clallam (still officially spelled Clalm), Pacific, Walla Walla and Skamania had one each; in 1860-61, the representation of Clarke was reduced to four, that of Thurston to four, and Pierce to two, although it also had a member jointly with Sawamish County, while Jefferson was increased to two, and King and Kitsap gained a member between them; in 1861-62 Walla Walla was allowed three members, Thurston three, Pierce two, Kitsap two, Clarke three, while the counties of Idaho, Missoula, and Nez Perce were allowed one each, and Shoshone three; in 1863-64 Walla Walla was given five members, Thurston three, Pierce two, Kitsap two, Jefferson two, and a member

jointly with Clallam, while King had one, and one jointly with Snohomish; the apportionment of 1865-66 gave Walla Walla five, Clarke three, Pierce two, King two, Kitsap two, Jefferson two, and Stevens, Pacific, Chehalis, Mason, Lewis, Snohomish, Clallam, Island and Whatcom, one each, Klikitat and Yakima one jointly, and Cowlitz and Wahkium one.

Sessions of the legislature were held every winter until 1867, after which, by an amendment of the organic act, adopted in response to a memorial setting forth that annual sessions were not necessary, they were held biennially. Under the law as amended, members of the Council were elected for four years, instead of three, and the representatives were chosen for a single session as before.

As is the case in all newly settled regions, the competition between aspiring towns to secure the location of the institutions and public buildings provided for by the general government, or sure to become necessary, was keen and interesting from the beginning. This competition is usually carried on by the several contestants solely with a view to their own advantage, and with little regard to the considerations that should govern in such matters. The result is that the locations are made by combinations of votes from the places seeking to be benefited, or worse still by trading votes for measures more or less vicious, or that never should become laws, and schools and colleges, capitols, asylums and penal institutions are located anywhere but where they should be. Sometimes, where such a thing is possible, they are divided and partitioned among two or more places, and the benefits obtained are disappointing to everybody. Weak and relatively worthless institutions, and buildings that are neither creditable to the locality or the State result, where

monuments to the intelligence, liberality and civic pride of the people were not only intended but amply provided for.

The people of Washington had some narrow escapes from grave mistakes of this kind, and in some instances did not escape at all. The contest for the capital began earliest, and was soon complicated with that for other institutions, particularly the university and the penitentiary. Steilacoom and Vancouver, as well as Olympia, had aspired to be selected by the governor as the place for holding the first session of the legislature, but when Olympia was chosen they did not abandon hope. The organic act provided that the legislature might, at its first session or thereafter, locate the seat of government at such place as they might deem eligible, but the place should still be subject to change by the Assembly, and \$5,000 was appropriated for public buildings at the place so chosen.

The people of Olympia and Steilacoom do not appear to have anticipated that an effort would be made to locate the capital, much less to locate it at some place other than Olympia, at the session of 1855. The Indian war had begun, and McAllister and Connell and Miles and Moses had recently been killed, when the legislature assembled. News of Lieutenant Slaughter's death was received about the time the legislators began to arrive at the capital. Most of the voters of Olympia were with Captains Hays and Eaton on White River, and most of those of Steilacoom with Captain Wallace. Those who had not enlisted were busily engaged, in both towns, with building stockades and preparing to defend the women and children who had flocked to them for protection. It is not surprising, therefore, that they showed so little interest in the capital question, that Mr. Denny

should be able to say, in explaining his vote, that he had not been offered even so much as an oyster supper for his influence. The contesting towns at this time were Olympia and Vancouver, and Olympia easily won.

The university was located at Seattle at this same session, but with a branch at Boisfort in Lewis County, to which one-half of the two townships of land appropriated by Congress for the establishment of the institution was assigned, the purpose being apparently to make the branch in all respects equal to the main institution. But it soon became apparent that this was not a good arrangement, and, in January 1858, the act dividing the institution was repealed, and it was located at Cowlitz Farms. But if Boisfort had been badly chosen as a seat for a great institution of learning, the farms were not much better. It is true that they comprised the land which had been earliest cultivated in the territory. But they were still occupied only by the Hudson's Bay people, and American settlers were not more numerous in their vicinity than in many other portions of the territory. Most of the settlers knew where the farms were, which was more than could be said for Boisfort. A majority of them had passed them on their way from the Columbia to the Sound, but this in no way recommended them to favor for university purposes. No effort was ever made to begin building there, and it soon became apparent that none ever would be made.

The legislature which had fixed the seat of government of the territory at Olympia, in 1855, also located the penitentiary at Vancouver, the county seat of Clarke County, provided ten acres of ground should be donated as a site for it, by the citizens of that place. A similar donation had been required from the citizens of Olympia, as a site for the

capitol. In course of time the commissioners required by the several acts to procure the grounds, have them cleared, and proceed with the erection of the buildings, were appointed and duly qualified. Edmund Sylvester, proprietor of the townsite of Olympia, donated the ten acres required for the capitol, and a similar tract for the penitentiary was offered at Vancouver. But questions of title arose which were not easily settled, and as the evidences of title were required to be sent to Washington for approval, and as many explanations were asked for, many months were consumed in the correspondence, and it was not until late in Governor Stevens' term that the expenditure of the \$5,000 appropriated by the organic act for a capitol building was begun. Even then only a small part of the capitol tract had been cleared, and the clearing afterwards proceeded so slowly that in Governor Gholson's time the building was seriously threatened by a fire in the surrounding woods.

In the winter of 1856-57, Congress had made another appropriation of \$30,000 for new capitol buildings, but it had not been possible to make use of it. The prospect of buildings to the value of \$30,000, in the condition of things at that time, made the capitol more than ever desirable, and as the session of 1859 approached, a plan was very quietly laid by the representatives from Clarke County to capture it for Vancouver. Early in the session—on the 6th of December, in fact—Mr. Short introduced a bill for the purpose, but it attracted very little attention from the people of Olympia. They had come to regard the seat of government as already fixed in their town, although they knew that, under the law, the legislature had power at any time to change it. But since ten acres of ground had been given by one of their citizens as a site, and as the gift had been

accepted by the territory, the ground partially cleared, and a building supposed to have cost \$5,000 erected thereon, there did not seem to them to be danger that the gift would now be repudiated and the building abandoned.

But eight days later the bill passed the House by a vote of 19 to 9, and then they became alarmed, as they had reason to be. They set themselves actively to work to defeat the bill in the Council, and, to their surprise, found the nine members of that body as equally divided as they could be, and Mr. Denny, who had been their friend in the former contest, and had cast the vote which settled the matter in their favor, was now against them. He had explained, a year earlier, that he believed Olympia to be as accessible to a majority of the people, and nearer the center of population than either Vancouver or Steilacoom. But now the situation had materially changed, in his view. The gold discoveries in the eastern part of the territory were taking a large number of people into that region, and it seemed likely that there might soon be more there than were now west of the mountains. The great river would for many years afford a more convenient means of travel than could be otherwise provided, until railroads should be built, and therefore Vancouver promised to be a most central and convenient location.

As things then were, the argument appeared to have merit, and the friends of Vancouver seemed to have the battle won. The friends of Olympia and Steilacoom charged that the people of Portland were really directing the campaign for removal. They hoped, it was said, by transferring the capital to Vancouver, to give that town an impetus that would sometime make it part of their own, or failing that, that everybody who came to do business at the capital of

Washington would bring business to the metropolis of Oregon. The newspapers at Olympia and Steilacoom made as much as possible of this argument, during the short time that the matter was pending in the Council, and finally, when the vote was taken, Olympia won again by a single vote.

But the fight for the capital was not ended by this vote, though most of the people seemed to think it was, and those in Olympia rested easy for the time being. The penitentiary commissioners proceeded to clear the ground they had secured at Vancouver, and to have stone hauled to it for the foundations of the proposed buildings. Plans for these buildings, and for the capitol at Olympia were prepared and sent to Washington for approval. During the year \$4,143 was spent on the site for the penitentiary, and \$1,720 on the capitol grounds.

Under the law the governor was made the custodian of the funds appropriated for both buildings, and was required to give bond as such, but Governor Gholson had never attended to this formality, as he feared that it might put him in an embarrassing situation. After the removal bill was defeated, the legislature had appointed three commissioners to direct the erection of the capitol building, with a provision that one of them be "acting commissioner," and the capitol fund was to be disbursed under their direction. Gholson was not willing to give bond for the proper disbursement of money that was to be disbursed at the order of somebody else, although it was reasonably apparent that nothing would be done until after the next meeting of the legislature, about disbursing any of it. Of the three commissioners appointed, one, E. S. Fowler, was from Port Townsend, and another, George Gallagher, was from Steilacoom, and Gallagher had been made acting commissioner. Steilacoom still hoped to

be made the seat of government, and Gallagher very frankly told the governor that nothing would be done during the year to get the building started at Olympia. When Gholson returned to Kentucky a few weeks later, McGill* became acting governor, and being a man of more force and decision of character than Gholson, he set to work to expedite matters. He first filed the required bond, and on July 3d notified the commissioners that he had received part of the money which Congress had appropriated for the building. But the commissioners showed no inclination to proceed with the work. Indeed Gallagher informed him that they were elected "not to go on with it," and McGill accordingly removed him and appointed R. M. Walker in his place.

But the new commissioner was able to do nothing. Gholson's letter had alarmed the authorities in Washington, and on August 22d the controller wrote McGill to make no expenditures for either the capitol or penitentiary, except for clearing the ground, until further instructed. He was also notified that the bureau of construction of the treasury department would prepare plans for both buildings.

So matters stood when the legislature assembled in December 1860. By that time the capital location question had been so generally discussed that public interest in it was fully awakened. The partisans of the several towns seeking to secure not only the capital but the other public institutions were well organized, and had their plans perfected. Early in the session a bill "to permanently locate the seat of government," and declaring that it "shall be and remain at Vancouver in Clarke County," was introduced and easily passed. Other acts relocating the university at Seattle,

*Letter of Gholson to the controller of the treasury, February 23, 1860. Sec. House Journal, 1860, p. 115.

and "permanently" locating the penitentiary at Port Townsend, soon followed. The dates of the passage of the capital and university acts are not given, but they are first and second in the volume of session laws for that year, and the penitentiary act is third, and its date is December 11th. As the House was not fully organized and its committees appointed until the 6th, this must certainly be regarded as fairly expeditious legislation.

On January 30th an act instructing the librarian to remove the territorial library to Vancouver, the new seat of government, was passed, and one day later, which was the last day of the session, "an act requesting the vote of the people of the territory of Washington relative to the seat of government," was also passed.

As matters now stood the legislature had enacted that the capital of the territory should henceforth "be and remain" at Vancouver, and then asked the qualified voters to express their satisfaction or dissatisfaction with what it had done. Whether it was the expectation of the members that their successors would rescind their action by repealing the act, in case the vote should be unfavorable, cannot now be determined. It seems probable rather that they, or a majority of them at least, realized that they had exceeded their authority, and they hoped to get the approval of the people to confirm or strengthen their action, if not to excuse it. The organic act provided that they might locate the seat of government, but that the location should still "be subject to be changed by said legislative assembly." It was clear, therefore, that their attempt to make the location at Vancouver final would fail unless approved by the popular will.

A vote was taken at the ensuing election and the removal was not sustained. Of the 2,316 votes cast, 1,239 favored

Olympia, 639 Vancouver, and 253 Steilacoom; the remainder were divided between Seattle, Walla Walla and Port Townsend.

When the time for the next legislature to assemble arrived, in December following, the members were in doubt as to where they ought to assemble, just as some of those in Oregon had been in doubt when the capital of that territory was removed from Oregon City to Salem. Most of them went to Olympia, and met and adjourned from day to day until a quorum should arrive. Some went to Vancouver, but they did not, as Columbia Lancaster and his associates had done on that earlier occasion, attempt to organize a hopeless minority, or prepare any futile memorials. The question of the validity of the removal act had been made up for submission to the supreme court, and the court had assembled at the earlier seat of government. Thither the minority of the members soon betook themselves.

Soon after the legislature which had passed the acts removing the capital, and submitting the question of removal to a vote of the people, had adjourned, it was found that the former act, as enrolled and signed by the president of the Council and speaker of the House, was without date, and had no enacting clause. These omissions, it was contended, made it null and void. It lacked identity and authority, and was in fact, in the language of the court, "without paternity." So far as any evidence it bore upon its face was concerned, it might be the act of a town council or any other unauthorized body.

When the case came on to be heard, a question of jurisdiction was interposed. It was contended by those seeking to establish the validity of the act that the court had no authority to hear and determine the matter at Olympia.

It was required by law to meet at the seat of government, and that had been removed to Vancouver. The question then raised affected all other cases on the docket, and it was agreed by counsel, and the court consented, that the decision made in this case should be decisive of all others.

The argument consumed three full days, and several of the most prominent lawyers of that day took part in it. The public interest in it was very great. The court was then composed of Christopher C. Hewitt, chief justice, and Ethelbert P. Oliphant and James E. Wyche, associate justices. Justice Oliphant delivered the opinion of the court, which was concurred in by the chief justice, Justice Wyche dissenting. The majority's opinion held that the legislature had exceeded its powers in declaring that the seat of government should "be and remain" at Vancouver; that the act had been made contingent upon the decision of the people, by the subsequent act requesting a vote at the next general election, and that an act without an enacting clause and without date is void. Justice Wyche, in his dissenting opinion, held that an enacting clause was not essential, where the act was published by authority, and where such a clause was not specifically required by the rules of the legislative body, or the organic law. He also held that the court had no authority to try cases at Olympia, and should adjourn to Vancouver.

So the capital question was settled for the time being, and it was not raised again until the territory was about to pass to statehood. Seattle got the university and kept it, but Port Townsend did not get the penitentiary, then or afterwards, nor was the penitentiary located or built until more than a dozen years later, when the government built one on McNeill's Island. Meantime the convicts were kept in

the jails of such counties as had jails. Pierce County for several years had a majority of them in its jail at Steilacoom, and Sheriff Egbert H. Tucker was authorized to employ them in any reasonable way to help pay for "their board and keep."

The custom house had been removed from Olympia to Port Townsend in Colonel Ebey's time, and now the town was to lose it for a time, in a most unexpected way, and its people were to have no end of worry, anxiety and excitement before they should recover it again.

After the murder of Colonel Ebey, Morris H. Frost of Steilacoom became collector, and at the end of his term of four years, C. C. Phillips of Whidby Island held the place for something less than one year, when, in August 1861, Victor Smith of Ohio was appointed. Smith had been a neighbor of Secretary Chase, and appears to have enjoyed his confidence to a considerable degree. Before leaving Washington, Smith had received some general instructions, or suggestions, from Chase, who always felt that an unduly large share of responsibility for running the government rested on his shoulders, in regard to observing the general management of affairs in the territory, particularly as to the expenditures of public funds, that impressed him with the idea that he was to be a confidential agent of the government in the territory, as well as collector of customs for the Puget Sound district, and that as such he was an official of unusual authority and importance. Mr. Schuckers, who was Mr. Chase's private secretary, and also his biographer, says of Smith that he was a man of perfectly good character, but "not very likely to become popular on the Pacific Coast—or anywhere else. He believed in spirit rappings, and was an avowed abolitionist; he whined a great deal about

progress; was somewhat arrogant in manner and intolerant in speech; and speedily made himself unpopular in office."

His conduct aroused opposition from the very beginning. His outspoken views on the slavery question made him objectionable to some; his arrogant manner was disagreeable to all who came in contact with him. He so evidently regarded himself as the sole representative of the national authority in the territory, and interfered so frequently in matters with which he had no concern, that he was soon in disfavor with other officials, and people generally began to complain. The mail service on the Sound had never been satisfactory, but it had recently been somewhat improved by a contract with the steamer *Eliza Anderson*. This famous pioneer vessel had been built on the Columbia in 1857-58, and first made her appearance on the Sound in the spring of 1859, where for a dozen years she was not only a carrier of persons, merchandise, produce and live stock, but a floating bank, and general agent for the people of the entire Sound country as well. She was paid well for every service rendered. The rate per passenger from Olympia to Seattle was \$6.50; to Port Townsend \$12.50; to Victoria \$20. Horses and cattle were carried at \$15 per head, sheep and hogs at \$2.50, and merchandise and general freight at \$5 to \$10 per ton, measurement. An empty barrel, had one been shipped, would have paid the same rate as a full one, and a box of feathers as much as one of the same size filled with dry goods or hardware. The owners made money so rapidly and so regularly that a mail contract was probably not a matter of much importance to them, but as she visited most of the towns and settlements on the Sound regularly about once a week, it was

a great satisfaction to the settlers to have her carry the mail.

But Mr. Smith, acting on what he assumed to be his general authority to supervise all matters pertaining to the expenditure of government money in the neighborhood, decided that the revenue cutter Shubrick could carry the mails and deliver them as frequently as people had need for them, and although he had no authority from the post office department whatever, discontinued the arrangement with the Anderson and had the mails carried by the cutter. But the cutter made no regular trips in any direction. She was frequently, if not constantly, employed in the service of the customs department, and sometimes did not visit some of the points to be served for weeks together. The new arrangement, therefore, speedily gave rise to most vigorous complaints.

Sometime later the new collector applied to the military authorities for leave to use the buildings at Port Townsend, which had not been occupied since Major Haller's company had been sent to San Juan Island, for a marine hospital. The commandant at Fort Steilacoom granted the authority temporarily, reporting his action to his superiors with a recommendation that it be approved. The arrangement thus made was continued for some time, but finally, as the collector's unpopularity increased, it was charged that he was renting the buildings to a private hospital, which charged the government \$1.50 per day for each poor mariner who found his way there, while Smith was putting the \$218 per month rent in his own pocket.* In the letter making this charge, the writer says: "I have reported Victor Smith to

*Letter of Lieutenant J. H. Merryman to General Alvord, May 26, 1862—War of the Rebellion, Official Record, Vol. L, Part II, p. 1099.

the Secretary of the Treasury for embezzlement of the sum of \$4,354.98, and for official misconduct of the most disgraceful character.”

But all causes of dissatisfaction with, and opposition to, the new collector became matters of only minor consideration with the people of the lower Sound region, when it was discovered that he was planning to have the custom house removed from Port Townsend to Port Angeles. This plan he evidently began to prepare soon after his arrival. The reason he gave for urging removal was that the harbor at Townsend was not as favorable in all weathers as that of Port Angeles, and he urged this so forcibly upon the notice of the secretary, and upon Congress, that the removal was authorized in June 1862, less than a year after he had arrived in the territory.

But before this authority was obtained, Smith was compelled to go to Washington to defend himself against a charge of being a defaulter in the sum of \$15,000. This charge he was able to disprove. It was also charged that he was seeking to profit by the increase in value of Port Angeles town lots, that would naturally follow the location there of the port of entry for Puget Sound. A company had been formed which had claimed and surveyed the townsite, or a part of it, for a city to be called Cherburg, and Smith was shown to have a fifth interest in the enterprise, the owners of the other four-fifths being H. A. Goldsborough and P. M. O'Brien. But this charge he was able to explain to the satisfaction of the secretary, and late in July he returned triumphantly to his office.

But he was not able to obtain possession of it without difficulty. On leaving for the capital he had appointed Major J. J. H. Van Bokkelen inspector and deputy-collector,

and installed him in charge. But not long afterwards Captain J. S. S. Chaddock, of the revenue cutter *Joe Lane*, assuming no doubt that the collector would be removed, took possession of the custom house, and put Lieutenant J. H. Merryman in Van Bokkelen's place. So matters remained until Smith returned late in July, when he appeared in the harbor after nightfall on board the *Shubrick*, and forthwith made demand upon Merryman for his office. For reply the lieutenant refused to deliver unless Smith first presented some written authority, showing that he had a right to possession of it. Smith refused to make any such exhibit and, returning to the *Shubrick*, sent her commander, Lieutenant Wilson, to present his demand, and to say that if it were again refused, he would take possession by force. Fifteen minutes only were allowed Merryman for reflection, and he was told that the guns of the cutter had already been shotted, and the custom house would be fired upon as soon as he returned to the vessel, unless his demand were complied with.

To a demand so peremptorily made, Merryman could make but one reply. It was then so dark that he could not see whether the guns of the cutter were already trained on the building as Wilson said they were. He could not presume that this threat made by one officer to another wearing the same uniform was an idle one, and he was well aware of Smith's arrogant and importunate character. If the custom house were fired upon, the lives of the inhabitants of the town would be endangered, for their homes were all closely huddled about it. Believing therefore, as he claimed, that he could prevent the town from being fired upon only by giving up the office, he yielded to the demand, and all the books and papers were at once taken on board the cutter.

News of what was going on soon spread through the town and much indignation and excitement followed. Governor Pickering was appealed to. The appeal reached him by the Eliza Anderson, on the afternoon of August 2d, and he at once wrote one of his most voluble letters to Major Patten, in command at Fort Steilacoom, in which, after narrating what had transpired as he had been informed of it, he closed by saying: "And now, sir, I beg leave to respectfully request you will go with me to Port Townsend, for I shall indeed be glad to enjoy the favor of your company, and I shall also feel thankful for the favor and benefit of your experience and advice upon the complicated and delicate questions of law and conventional usage, or professional etiquette, always to be rightfully observed between officers representing coördinate branches of the same government."

On the next trip of the Anderson the governor, accompanied by his private secretary, the United States marshal, Ex-Secretary and Acting-Governor McGill, who was now a United States commissioner, and several citizens of Olympia, left for the scene of these recent hostile actions. At Steilacoom they were joined by Major Patten and several prominent residents of that town. They arrived at Port Townsend on the evening of August 11th, where, learning that Merryman had gone to Victoria, the governor continued on to that place in order to learn the particulars of what had occurred from him, before interviewing the collector. The remainder of the party stopped at Port Townsend to await the arrival of the Shubrick, which they found was hourly expected.

The commissioner immediately began an investigation as to what had occurred, and, on the affidavits of several citizens that the guns of the Shubrick had actually been shotted and turned on the town, with intent to kill, issued warrants for

the arrest of both the collector and her commander. Both were then known to be on board the cutter, and when her signal lights appeared outside the harbor soon after dark, the marshal was sent to serve them, and place both officers under arrest. But this was not easily done. The cutter did not enter the harbor, but sent the mail on shore in one of her boats, the return of which she awaited at a distance of a mile or more from shore. Seeing what the intention was, the marshal summoned a posse, and put off in a boat procured for the purpose, to secure his prisoners. But he was not successful. He was not allowed to see the collector at all, and on reading the warrant to Lieutenant Wilson, that officer refused to recognize or obey it in any way. He was obliged to leave the ship empty-handed.

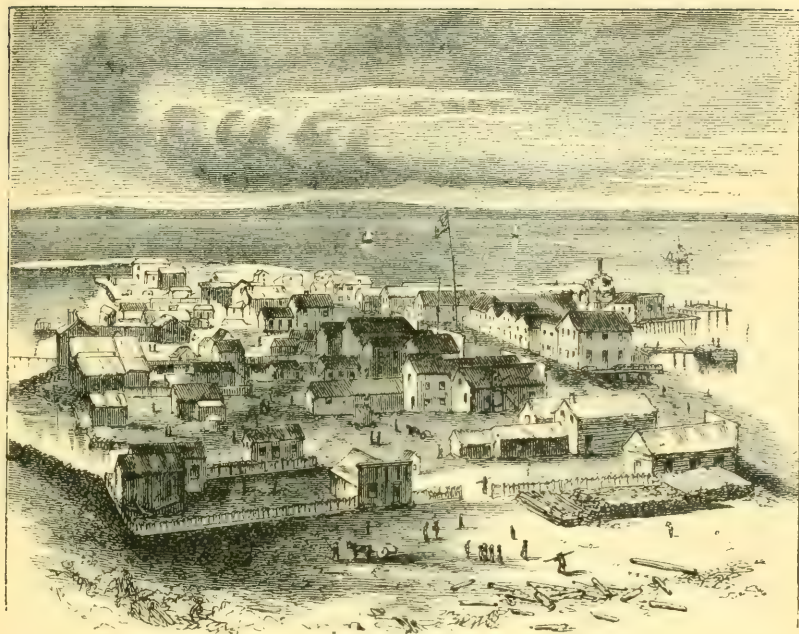
On reporting this to the commissioner, he was directed to return again to the cutter, and remain on board unless forcibly ejected. His second trip, made in pursuance of this order, was by one of the boats belonging to the cutter Joe Lane, then lying in the harbor, but this time he was not allowed to board the Shubrick, or even to come near her, as her paddle wheels were kept sufficiently in motion to make any near approach impossible.

Soon afterward the Shubrick steamed away to Victoria, and two days later returned, very early in the morning, when she took the Joe Lane in tow and bore her away to the new port of entry at Cherburg. The next the governor and his party heard of her, she was passing out to the Pacific, as they supposed to San Francisco.

The collector and his confederate, the commander of the Shubrick, were now declared to be fugitives from justice. Major Patten reported to Adjutant-General Drum, at San Francisco, that the district was now without naval protection,

PORT TOWNSEND IN 1870.
From a print in Harper's Magazine.





the Joe Lane having been put out of commission, her officers placed on leave and most of her crew discharged. The district also seemed to be without a collector, for it seems to have been expected at the time that Smith would never return, but in this the people were mistaken.

During all these proceedings the people of Port Townsend had behaved with decorum. They were deeply interested, and much excited, but they made no unseemly demonstrations. But it now began to be intimated that if Smith and Wilson ever returned, they would be arrested by an armed posse, and Major Patten regarded the prospect of this so probable that he asked for instructions from headquarters as to what he should do if asked to send troops to enforce the requirements of the law. He was told that if any difficulty arose the civil authorities must settle it. A month later, September 12th, Patten reported that Smith and Wilson had arrived at Olympia, where they had submitted themselves to a legal investigation. Smith was afterwards indicted on four counts—for resisting a duly authorized officer; for embezzlement of public funds; for procuring false vouchers; and for assault on the people of Port Townsend.

From this time forward the people whom the collector had offended by his arrogant manner and arbitrary conduct made war upon him without ceasing. Among the officials of the territory who had been appointed by President Lincoln were several who had known him personally. Among these were John J. McGilvra, the United States attorney, A. A. Denny, register of the land office, Governor Pickering and Secretary Turney, as well as Anson G. Henry, who would later be made surveyor-general. These did not fail to keep the president advised of what was going on. The mails were burdened with letters to the president, to

Secretary Chase and other members of the cabinet, to members of Congress, and other people of influence, and delegations were sent to Washington to protest against Smith's continuance in office. That these letters produced some disturbance in the president's official family, we know, though the details of the controversy are not all recorded. But it is not difficult to guess how a peppery postmaster-general like Blair received notice of the interference of an appointee of another department with his mail-carrying contracts, or how a somewhat arbitrary person like Secretary Stanton would regard such a report as Lieutenant Merryman had forwarded.

The secretary of the treasury stood stoutly by his man, as his custom was, but finally the controversy became so annoying that President Lincoln could stand it no longer, and on May 8, 1863, he wrote Chase a personal letter in which he said: "My mind is made up to remove Victor Smith as collector of the customs at the Puget Sound district. Yet in doing this, I do not decide that the charges against him are true. I only decide that the degree of dissatisfaction with him there is too great for him to be retained. But I believe he is your personal acquaintance and friend, and if you desire it, I will try to find some other place for him."

Chase resented this removal of one of his appointees, and made it the excuse for tendering one of the several resignations which he presented before he finally withdrew from office. Mr. Lincoln easily prevailed upon him to withdraw it, and on May 13th concluded a letter to him on another subject, with a request that he would send him "a commission for Lewis C. Gunn, as you recommended, for collector of customs at Puget Sound." Gunn was appointed, and Smith was subsequently returned to the Sound as a special agent of

the treasury department, an office of really higher authority than that of collector.

Smith built a commodious building at Port Angeles which he leased to the government for the use of the customs service. It was situated on the bank of one of the streams which rise in the Olympics, and flow down through the foothills and townsite to the straits. This stream failed mysteriously in the summer of 1863, and later it was found that a landslide some distance back of the town had dammed it up, forming a great reservoir in the foothills, which, when the winter rains began, became a lake. On the night of December 16, 1863, the dam which the landslide had formed gave way, and the liberated waters rushed down through the town, in a flood as irresistible as that which years later destroyed the city of Johnstown in Pennsylvania. All the buildings in its path were swept away, including that used for the custom house. Smith's residence, which was close to it, was saved from instant destruction by a jam formed by floating trees and other debris, just above it, though it was flooded, and Mrs. Smith and her four children, together with another woman, saved themselves with the utmost difficulty. Smith was in Washington at the time, and Deputy-Collector J. M. Anderson, and Inspector William B. Goodell, who were standing near the custom house entrance when the wall of water struck it, had been swept away and drowned. While groping about in the darkness, and standing waist deep in the water, in her efforts to find and save her children, Mrs. Smith found the body of a woman, under the water, and held down by a mass of dirt and logs which the flood had brought with it. This woman she managed to rescue, as well as to save her children, and no lives were lost save those of the custom house officers. Their bodies

were found some distance below the wrecked custom house, and buried under four or five feet of dirt and driftwood.

The furniture, books, papers and other records of the custom house were swept away, and a considerable sum of money with them, but these were mostly recovered and after the flood had spent itself, as it did in a few hours, a new office was secured in another part of the town, and the custom house reestablished. There it remained until 1865, when it was returned to Port Townsend, much to the joy of its people.

Smith was one of the passengers lost on the ill-fated steamer Brother Jonathan in July 1865. Among the other passengers who were also lost were: Captain Chaddock formerly of the Joe Lane, and Anson G. Henry, then surveyor-general of the territory, both of whom had been among the collector's most active opponents in the numerous controversies which had characterized his career in the customs service.

There was a superabundance of single men among the early settlers, as has been the case in most new territories. So many young men, who had hoped to make homes for their wives before they married or sought them, had come west, that there were vastly more men than women of marriageable age in Washington for a score of years or more in its early history. The discrepancy was a matter of frequent remark, and every family arriving, that numbered among its members a grown-up daughter or two, was given a special welcome.

Among the young men who came in the early '60s was Asa S. Mercer, who had only recently graduated from college. He was a brother of Judge Mercer, who was then living in Seattle, through whom he soon became acquainted with the managers of the new territorial university, and was

employed by them as its first president. He taught its classes but one winter, and during that time it occurred to him that the inequality of the sexes on the western shore of the continent might be corrected if the situation could be fully explained to people on the eastern shore, where there were more women than men, and where the war was then making many widows and orphans. He consulted with some of his acquaintances about the advisability of making a trip east to try and organize a party of women to come to the Sound country, and received some encouragement. He went to Olympia to talk with members of the legislature and Governor Pickering, who like himself was from Illinois, about it, and the governor seemed interested, but explained that the territory had no funds that could be used for such a purpose. Mercer then set to work to raise funds by private subscription, and was so successful that during the following winter he went to Boston, New York and other eastern cities, where he found many people who received what he had to say with favor. Many women expressed a willingness to go west with his proposed party, but when the time to start arrived the hearts of many failed them, and he sailed from New York for Panama in March 1864, with a much smaller party than he had hoped for, but there were eleven marriageable women in it. Some of these were accompanied by their fathers and other members of their families, and nearly all paid their own way.

They arrived on the Sound in May, and were given a generous welcome. Every community in the western part of the territory had learned of their coming, and was anxious to secure some members of the party among its permanent residents. Mercer and his enterprise had been so much talked about during his absence, that he had come to be

regarded as available political material, and on his arrival found that he had been nominated by King and Kitsap counties as their joint member of the Council. In due time he was elected and served through the session, ending in the last days of January 1865.

He was still resolved to try another venture at inducing women to come to the coast. He could carry back with him assurances from the members of his first party that they had been well treated on the voyage out, and agreeably received on their arrival. Many, perhaps most, of them could have testified, also, that they were already well and happily married, for all but two of their number did marry, and some of them found husbands who were well-to-do if not wealthy for that day. His plan was to call on President Lincoln, whom he personally knew, explain to him what he hoped to accomplish, and ask him to provide "a ship coaled and manned for the voyage to Seattle." As his purpose was to bring women who had been made widows or orphans by the war, to a new country, where they were sure to be welcome, and almost equally sure to find happy homes, he felt confident of enlisting the president's sympathies. "Knowing the goodness of his heart," Mr. Mercer says in a letter written a little later, "not a shadow of doubt existed in my mind as to the outcome."

But he arrived in New York too late to find Mr. Lincoln alive. On the very evening of the day of his arrival, he was assassinated. His main dependence was therefore gone, but he did not yet despair of success. He went to Massachusetts and had a talk with Governor Andrew, and was by him introduced to Edward Everett Hale and others who entered more or less heartily into his plans and gave him much assistance. Then he went to Washington, where he

saw the president and many other officials, but did not succeed in securing a ship. Then the newspapers denounced his undertaking, declaring that all men in the Puget Sound country were a debauched and profligate lot, and advised all self-respecting women not to go there—at least not with Mercer. These attacks discouraged many who had already made preparations for the journey, and Mercer found that at most he could not hope to start with a party of more than two hundred persons, and these must pay regular rates for their transportation to San Francisco. Finally, after many discouragements, his party took passage by the steamer *Continental*, which Ben. Holliday had recently purchased from the government.

The party as finally made up consisted largely of families, but of families in which the female members predominated. There were some women who were not accompanied by male relatives. Some had been schoolteachers, some had worked in mills, factories or families, and some had been employed in the government offices in Washington. All were of good character, and were a welcome addition to the population of the territory, as their predecessors had been.

They made the trip by way of the Strait of Magellan, very pleasantly, to San Francisco, where some of them were surprised to find people who had been requested by their friends in the East to meet them, waiting to rescue them in case they should by this time have found that they were not to be taken among respectable people. These and others urged them to remain in California, and told them most discouraging stories about the country northward, as a means of inducing them to do so. But few if any of them were led to change their destination, although their means of reaching it for a time seemed doubtful. Mercer's means

were exhausted. He had but \$3 left, and he spent \$2.50 of that for a telegram to Governor Pickering, asking for money, and did not get it. He managed, however, to send his party northward by tens, twenties and forties, in lumber ships, and in due time they reached the Sound in safety.

Previous to their arrival an appeal had been made to the several towns to make arrangements for their reception, and it was answered as generously as those who made it could have hoped. The travelers were received into the homes of the settlers, and given as many attentions as they would have received among their own friends or acquaintances. Few if any of them ever had cause to regret the long journey they had made, or that they had undertaken it under such peculiar circumstances.

At the expiration of Flander's term as delegate, he was appointed governor of the territory, succeeding Marshal F. Moore, and he entered upon the discharge of his new duties in 1869. By this time the removals and appointments made by President Johnson, and the differences of opinion among Republicans in regard to the reconstruction acts, had completely demoralized political parties in the territory, and given rise to much bitterness of feeling. Although General Grant had now become president, nothing had yet been done to improve the political situation in the territory. On the contrary, local and personal issues had begun to cause new dissensions, and the situation promised to be most embarrassing for the new governor, as indeed it proved to be.

Captain Christopher C. Hewitt, who had commanded the first company of volunteers raised in Seattle during the Indian war, had been appointed chief justice of the territory

in 1861, succeeding Justice McFadden, who had been Lander's successor, for a term of two years. Although a fair lawyer, Hewitt was not popular among members of the bar. Possibly they did not like the means by which his advancement had come to him.

During the earlier years of his residence in the territory, when clients were few and fees small, he had not hesitated to accept any honorable employment, however humble, to gain a livelihood and avoid getting into debt, and had arranged with Meigs, who was then manager of the Port Madison Mill Company, to make ox yokes for his logging camps. The yokes were made with his own hands, and were so well and honestly made, that Meigs employed him as attorney for his company in a suit which was famous in its time, and was finally taken to the supreme court of the United States. With the aid of Hon. Joseph S. Smith, who was also employed in the case, Hewitt prepared a brief which commended itself so strongly to the attention of Chief Justice Taney, that he recommended Hewitt to Mr. Lincoln for appointment as chief justice of the territory.* He was appointed, but efforts to secure his removal began almost as soon as he had taken his seat on the bench. He successfully resisted these, and at the end of four years was able to secure a reappointment, and to retain his position till the close of his second term.

His opponents were not all lawyers. Members of the legislature, and other people more or less interested in political matters, took up the fight against him, and not being able to secure his removal, the legislature, in January 1868,

*Address by Judge C. H. Hanford at the celebration of the fiftieth anniversary of the separation of Washington Territory from Oregon, held at Olympia, March 2, 1903.

rearranged the judicial districts of the territory and assigned Hewitt to Stevens County, requiring him to live at Fort Colville. Judge Wyche was given all the river counties from Walla Walla to Pacific, with Lewis, Thurston, Mason and Chehalis in addition, while C. B. Darwin, the newest appointee on the bench, was assigned all the counties in the Sound country. The absurdity of this arrangement was so easily apparent, that Congress refused to confirm it, and Hewitt was again triumphant.

Although Darwin, the new judge, had not been long in the territory, having been appointed to succeed Oliphant in 1867, he was already unpopular. He was fairly well learned in the law, and a linguist of some celebrity. It is said that when a prisoner of foreign birth, who had been convicted in his court, was asked if he had anything to say why sentence should not be passed upon him, his attorney answered that his client did not speak English well and would require an interpreter, and the judge replied: "Let him use his own language; the court will understand him."

But in spite of his learning, Darwin was not popular. His moral character was not above reproach—at least not above suspicion, and as Hewitt's second term had now expired most of the opposition seemed to have been transferred to him. Early in President Grant's term, an entire new bench was appointed. B. F. Dennison became chief justice, and Orange Jacobs and James K. Kennedy associates, and two years later Judge Jacobs became chief justice, with Kennedy and Roger S. Greene as associates.

But there were other troubles than those which caused this opposition to members of the supreme court, to make dissension among members of the legislature of 1869. When they assembled in October, as they did under a new law

changing the date of meeting, they found that the appropriation made by Congress for their salaries and expenses would not be available until December. Naturally, this was a most vexatious discovery. Several seats in the House were contested, and the determination of these contests led to new vexations. But the troubles in the House were as nothing compared to those of the Council. This body was still composed of only nine members, and two of the Republicans in it refused to act with their party, or with the Democrats, so that no party in it could be sure of passing any measure. The printing contract for the session was the cause of much bitterness. The amount of work to be done was unusually large, and the printer's profits would be increased in proportion. There was a triangular fight over this and other matters during the whole session. In addition to the intensely partisan spirit existing, there were long-standing personal feuds between some of the members, and altercations in the lobby and on the floor were frequent. One day the sergeant-at-arms had to interfere to prevent a rough-and-tumble fight, during the session, between one of the leading Democrats and an equally prominent Republican. Resolutions of censure were passed upon these combatants next day, but the matter was far from ending there.

For a long time preceding, the need for a codification of the laws of the territory had been urgent. Several governors had called attention to it in their messages, but one legislature after another had neglected to do anything about it. The printed acts of the legislature, adopted at the fourteen sessions already held, existed only in pamphlet copies of the session laws. These the lawyers used when they had or could obtain them, but those for some years were now rare and very difficult to obtain. A few copies were offered

at from \$3 to \$5 each. Some lawyers had only incomplete sets, and these they guarded with most jealous care. Even the territorial officers and members of the legislature had difficulty about getting and keeping them. But the preceding legislature had provided for a codification commission, and J. H. Lassater, Elwood Evans and B. F. Dennison had been appointed to do the work. Their report, chiefly the work of Mr. Evans, was presented to the legislature, and referred to a select committee, composed of the lawyers in both houses, for review, and for such amendments as should seem desirable. The committee reported from time to time. The changes it suggested were, for the most part, merely verbal, but to make them in legal form the acts in which they occurred were reënacted. This made it necessary, or at least permissible, to have them reprinted for the use of the legislature, and thus greatly to increase the work and profits of the public printer. To this the governor objected, and vetoed the amended measures in batches. His messages announcing these vetoes were very much alike, differing only in the enumeration of titles of the measures vetoed. The reasons given were always the same. The bills were simply reënactments of laws as they already stood on the statute books; the object of reënactment was simply to have them printed, as laws of the present session; their publication would cost the government a large sum without any corresponding benefit; possibly the territory would have the bill to pay. But whether the cost should be paid by the national or territorial government, the expenditure was unwarranted, especially in view of the hasty and imperfect manner in which the code, of which the bills were to be a part, had been acted upon, for the governor thought it doubtful whether one of them had been read in either house during the session.

SELUCIUS GARFIELDE.

One of the early lawyers of the territory. He defeated General Stevens for the nomination for delegate in Congress in 1861, but was himself defeated at the election. Was again nominated and elected in 1869, and reelected in 1870. Was surveyor-general of the territory from 1866 to 1869. He also served as collector of customs for one term.





It was at this session that the community property law, which still stands on the statute books, was enacted.

Selucius Garfielde was elected delegate to Congress in 1869, defeating Ex-Governor Marshal F. Moore. Though Garfielde had defeated Stevens for the Democratic nomination in 1861, he had since acted with the Republicans. He had been surveyor-general from 1866 to 1869, having been appointed to that office sometime after the death of A. G. Henry. He was a brilliant public speaker, and had ranked as a leading lawyer almost from the day of his arrival in the territory. His intellectual acquirements were always something of a mystery to those who knew him best. He was generally well informed on all current topics, and yet he seemed to give but little time to the reading of books or newspapers. He was apparently equally inattentive as a lawyer to the preparation of his cases, and yet he always came into court well prepared, and few other lawyers of his time were more frequently successful in their practice.

Until after he was elected the first time, delegates from this territory had been chosen in the odd-numbered years, and a change in the law, made in 1869, shortened his first term to one year. He was renominated and reëlected in 1870, and again renominated in 1872, but defeated by Judge O. B. McFadden. He afterwards served a term as collector of customs for the Puget Sound district.

It was charged during his campaigns for delegate, that he was to be, peculiarly, the representative of the interests opposed to the Hudson's Bay and Puget Sound Agricultural companies. At any rate, the representatives of these two concerns bitterly opposed him. He had been the attorney for Pierce County in a suit brought in 1859 to compel the latter company to pay taxes on all the land it claimed in the

county. The trial of this suit had been long and expensive. It had been three times appealed to the supreme court of the territory, and once to the supreme court of the United States. The latter court had dismissed it for informality in the record, and after ten years of litigation, matters still stood apparently about as they were at the beginning. But Garfielde had led the fighting aggressively, and confidently claimed that he would ultimately win.

The settlers had taken the keenest interest in this litigation. Many of them had selected and sought to take claims within the area which the Company claimed under the treaty of 1846. This comprised all the land lying between the Puyallup and the Nisqually rivers, from the Sound to the summit of the Cascades, amounting to something more than 167,000 acres, and 3,562 acres at the Cowlitz Farms in Lewis County. But little of this land, comparatively, was under cultivation, or ever had been—about 1,500 acres on the Cowlitz, and two or three hundred at Nisqually. The remainder had been used, so far as it had been used at all, simply as a range for cattle, sheep and horses, and these had roamed over only a small part of it, for most of it was so heavily timbered that even the Indians had never set foot on it. To assert ownership in this vast area, under that provision of a treaty, which provided that “the farms, lands and other property of every description, belonging to the Puget Sound Agricultural Company, on the north side of the Columbia, shall be confirmed to said company,” seemed preposterous to the settlers, who knew that it never had owned, or could own it, and that the greater part of it had never even been seen by its agents or animals. They knew that this grasping monopoly was an alien concern. They believed that it had been more friendly than need be to

the Indians during the Indian war. They knew that some of its old-time employees had given them aid and comfort. The correspondence submitted to, and the testimony taken by the legislature, during the winter following the proclamation of martial law, showed that they had left food in places where the Indian marauders could easily find it, and that the murderers of White and Northcraft had visited some of them, while their hands were still red with these crimes. While it was not believed, or perhaps suspected that the Company encouraged these criminal acts, it was not forgotten that it had at one time helped these people to take claims on the land where it had always arrogantly forbidden Americans to make their homes, and that it was friendly to these aliens, while it continued to harass and annoy all the native-born citizens with threats of eviction.

None of the settlers who had made locations on the lands claimed by the Company, in either Pierce or Lewis counties, could get title of any sort. They could not even get their claims surveyed, for the surveyors were instructed by the government to stop their work at the borders of the lands claimed by the Company. They could file no notice or claim at the land office. As native-born citizens in their own country, which they had helped to win from a foreign claimant and the savages, they seemed to have no rights except such as they could enforce by their own presence.

In his first message to the legislature, Governor Stevens had pointed out the desirability of getting rid of these alien concerns. Under the treaty, the government might purchase their property if it should be considered "of public and political importance" to do so, "at a proper valuation, to be agreed upon between the parties." As a means of inducing Congress to take early action in the matter, he recommended

that a careful official estimate of the value of the property should be made, so that an idea might be formed as to what the purchase would probably cost. But no action of this kind was taken by that or any succeeding legislature, and as a consequence the purchase was not made until nearly seventeen years later.

Meantime the grievances of the settlers against the companies became a factor in every political campaign. They did not become an issue, because all the people except the few representatives of the companies were of one mind in regard to them, but every candidate for office had some more or less futile suggestions to make in regard to them. Some contended that the treaty ought to be abrogated, and some that it ought to be disregarded altogether and set at defiance. Of course these vehement orators, or some of them at least, had no very clear comprehension of the binding character of treaties, or of the results that would certainly follow, if their views should be accepted, and the settlers, looking only for some means of escape from the embarrassments which so persistently beset them, would have been glad to see anything tried that could give a promise of any sort of relief.

Finally the commissioners of Pierce County, in May 1859, ordered the lands claimed to be assessed, and in this they appear to have been joined by those of Lewis County. The Company refused to pay, as it was doubtless expected it would do, since no taxes were levied on the claims of the settlers until they received their patents from the government, and the Company not only had no patent, but no certain prospect that it would ever receive any. There was therefore no very encouraging prospect that it could ever be compelled to pay.

Several prominent lawyers in the territory were employed in arguing the several appeals, but Garfield appears to have been the leading counsel for the county, while B. F. Kendall was the principal attorney for the defendant company. The case led to or was the cause of a tragedy which at the time caused more excitement and aroused more feeling than any event since Governor Stevens had declared martial law and caused the arrest of Judge Lander.

In addition to his law practice Kendall had become interested in the "Overland Press," a weekly paper which had been started at Olympia, in July 1861, and because of its enterprise shown in getting and publishing war news, had soon become one of the most widely read and influential publications in the territory. Sometime in 1862, one of the buildings at the Cowlitz Farms owned by the Puget Sound Agricultural Company, had been burned, and it was strongly suspected that the fire was of incendiary origin. In its report of this fire, the "Press" intimated that Horace Howe was more or less directly responsible for the conflagration. On December 20th, Howe met Kendall on the street in Olympia, and an exciting controversy followed, during which Howe struck Kendall with a switch he happened to have in his hand. Kendall turned and ran, or walked hurriedly away, with Howe pursuing, but after running a short distance Kendall drew a revolver, turned and fired four shots at his pursuer, one of which inflicted what was at the time supposed to be a severe wound.

The shooting caused a great deal of excitement and much angry comment. Kendall published his version of the encounter in the next issue of the "Press," and this still further excited and embittered Howe's friends. A day or two later, on January 8, 1863, Howe's son entered the "Press"

office, and asked to see Kendall alone. The two entered Kendall's room together. A few minutes later a shot was heard by those in the outer office, and Howe emerged from the room, saying: "I shot him in self-defense." The shot had been well aimed. Kendall had been instantly killed by it, and Howe was accordingly arrested.

The inquest was most exciting. It was found that the pistol Howe had used strikingly resembled one of a pair owned by Frank Clark, with whom Howe was known to be acquainted. Clark did not deny the acquaintance, nor that the pistol was his, nor would he answer any question that could in any way connect him with the tragedy. Being a lawyer, and knowing the law, he would say nothing that could be used to incriminate him, and yet reading the reports of the inquest at this distance of time, some of his answers seem to have been framed to indicate that he knew as much about the tragedy as people thought, or perhaps to deepen the mystery surrounding it.

Howe's plea that he had shot in self-defense was so far accepted by the coroner's jury, that he was admitted to bail, and he immediately disappeared. From that moment nobody who had previously known him, so far as the public learned, ever saw him again. It was reported that he committed suicide, or was accidently drowned, but no proof of it was ever produced.

The tax case was dismissed by the supreme court on December 23, 1867. As it had been dismissed solely because of an irregularity in the service of some of the papers pertaining to it, the contest stood now practically where it had stood in the beginning. None of the questions raised had been determined. Nevertheless when the news reached Steilacoom, then the county seat of Pierce County, Garfielde

and his associates applied for an order authorizing seizure of enough of the Company's property to satisfy the demands of the counties, with interests and costs, which now amounted to more than \$60,000, but while argument on this application was being made, an order arrived from Washington, forbidding seizure for the time being.

The full meaning of this order was not understood at the time, but it was ultimately learned that the government was at last, after the lapse of nearly a quarter of a century, taking the steps necessary to remove these foreign corporations out of the country. Governor Simpson had early begun to press to have the matter taken up at Washington, but the civil war and the embarrassments of the Johnson administration had prevented. But now negotiations had been resumed and it was arranged that a commission should be appointed to ascertain the amount to be paid the companies for the property they claimed. Governor Simpson had estimated this property to be worth \$5,000,000, but the settlers and others, who were more or less familiar with it, knew it to be worth only a mere fraction of that amount. The companies really owned no land, and could acquire none. They had cleared and improved several thousand acres at Vancouver, about 1,500 acres at Cowlitz Farms, and two or three hundred at Nisqually, previous to June 15, 1846, the date of the boundary treaty. They had been using this land, and as much pasture land as their vast herds required in addition, for a quarter of a century since that date, and had paid no rent for it. More than that, the government itself had leased from them, and paid an annual rental for the ground and buildings at Fort Steilacoom, for nearly twenty years. The claim which Peter Skeen Ogden had made at Cape Disappointment in 1848, under instruction from the British

government, to be used, as is supposed, for a British fort, was estimated to be worth \$14,600. It was probably worth about one-hundredth part of that sum.

Caleb Cushing, who had been attorney-general in Pierce's cabinet, was employed to represent the companies before the commission, and Frank Clark and several other lawyers looked after their interest in the territory. A vast amount of testimony was taken. Witnesses were examined at Vancouver, the Cowlitz Farms, Nisqually and Victoria, and several, including W. H. Gray, who had come to the territory with Whitman, were called to Washington for examination. The whole history of the Hudson's Bay Company, from the time it succeeded the Northwest Company on the coast, including its treatment of the early missionaries and the settlers, was inquired into.

The commissioners concluded their labors on September 10, 1869, by finding that \$325,000 should be paid to each of the companies, a total of \$650,000 to both, and they were not required to pay the \$61,305.22 claimed by Pierce and Lewis counties for taxes, although Congress had provided, in consenting to the creation of the commission, that "all taxes legally assessed" upon any of the property of the Puget Sound Agricultural Company, and still unpaid, should be withheld from the amount awarded it.

As soon as possible after the award was made, the two companies removed their live stock and other moveable property to British Columbia. Edward Huggins, their last chief factor in the territory, was directed to remove to Kamloops, but he chose rather to give up his connection with the Company and became an American citizen. He took a claim which included the old fort and the Company's buildings at Nisqually, where he had resided for more than

twenty years, and continued to reside there during the remainder of his long and honorable life. Many of the other employees of the Company followed his example.

And so the long history of the Hudson's Bay Company in Oregon and Washington ended.

During the dozen years preceding their exit from the territory, it had advanced but slowly. Its people were hardly well recovered from the effects of the Indian war, when the civil war began, and for several years but few settlers found their way to western Washington. The gold discoveries hastened the settlement of the southeastern part of the territory during these years, but so little of the gold brought from the mines found its way west of the mountains, that money was always scarce in that region, so scarce that the periodical disbursement made by the army paymasters at Fort Steilacoom would perceptibly relieve the financial situation in the whole Sound country.

The progress of settlement was slow. The population of the territory, which had been 11,594 in 1860, had increased to only 23,955 in 1870, and a large proportion of the new arrivals had settled east of the mountains, so that the western part seemed hardly to progress at all. The governors usually gave a summary of the reports of land sales made by the land offices at Olympia and Vancouver, in their messages to the legislature, and these show, as well perhaps as any other record of the time, how settlement was advancing. In his last message as acting governor, in December 1859, Secretary Mason reported that 24 claims had been taken under the donation, and 49 under the preëmption laws, during the preceding year, a total of 11,277 acres. McGill, in 1860, reported that 14,964 acres had been taken. Turney, and Pickering in his first message, said nothing

of what the sales were in 1861 and 1862, but in 1863 they were 142,581 acres; in 1864, 79,337; 1865, 91,306; 1866, 59,289; and 1867, 62,267. For the twenty months, from January 1868 to September 1, 1869, they were 253, 723 acres, and for the two full years 1870-71, they were 552,914 acres.

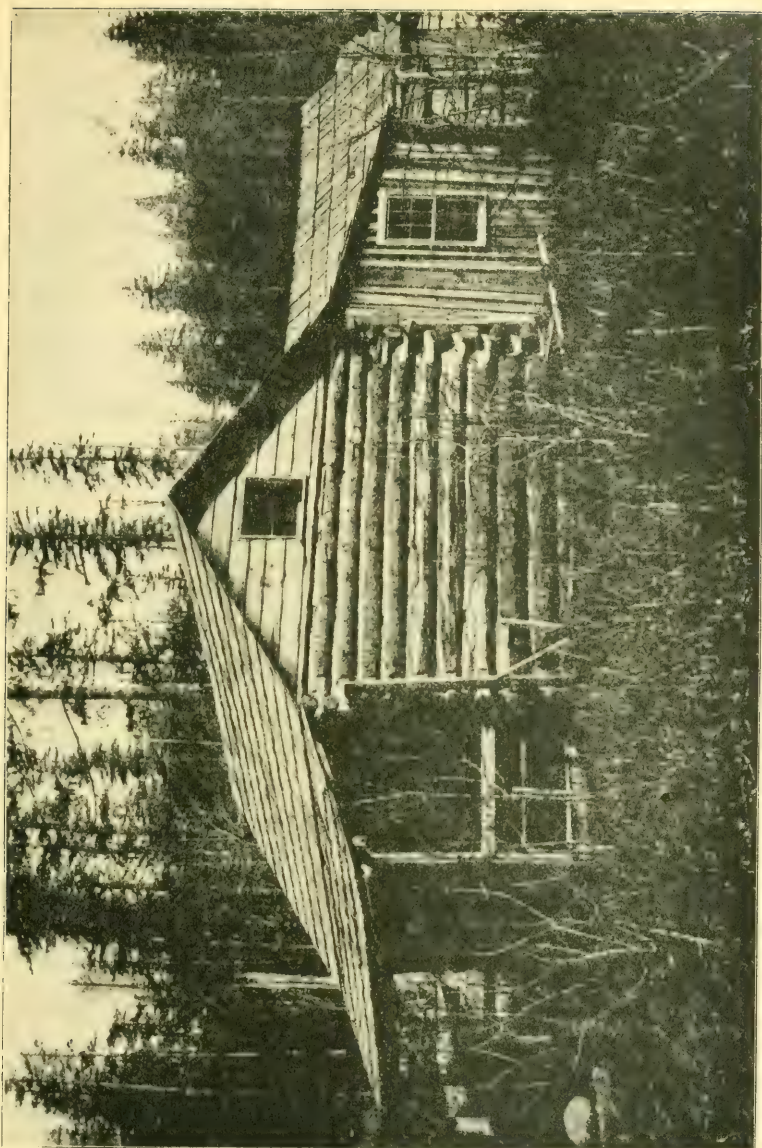
But progress while still unsatisfactory was perceptible and proportionately gratifying. When the courts were first established after Governor Stevens came in 1853, the sheriffs had not been able to find enough voters in some of the counties to fill the panels of grand and petit jurors, without summoning some of the "good and lawful men" to serve on both, but where this was necessary they took care to rearrange the lists of names, so that the court and public need not be too much impressed with their resemblance. But this, at least, was no longer necessary. Those who had made occasional trips about the Sound on the Eliza Anderson, soon after her arrival, or along the Columbia on the boats of the Oregon Steam Navigation Company, which had now been established, and was doing a thriving business, were sure they would know every person they would see at each landing, and equally confident that every resident of each place, except possibly the women, would be waiting to greet them. But this was no longer so. New faces were seen on every trip, and new towns were springing up as well. Among these Commencement City, on the west shore of Commencement Bay, had now become Tacoma, and would shortly be the envy of all its competitors, for a time, because of its railroad advantages.

Several newspapers had now been established in the territory, most of which were still thriving. The "Columbian," which later became the "Pioneer and Democrat,"

FIRST POST OFFICE IN TACOMA.

This was in Job Carr's house at Old Town, the first house built on the Townsite.





by consolidation with a rival, had been first in the field. There were now published at Olympia the "Pacific Tribune," which had succeeded the "Overland Press," the "Washington Standard," established early in 1860, the Olympia "Transcript" and the "Echo." Vancouver already had the "Register" and Kalama would soon have the "Beacon." At Walla Walla the "Statesman" was publishing news from the mines from week to week, that was eagerly read beyond the limits of the territory, and it now had a competitor in the "Union." At Port Townsend, the "Register" and the "Northwest" had given place to the "Message," and Seattle had the "Gazette," which had been established in 1863, and on October 26, 1864, had printed the first telegraphic news received by the line which was completed to Seattle that day. It gave war news of interest as late as October 24th, which had come by way of Kansas City, the most interesting part of which pertained to the operations of Sherman's army in the Atlanta campaign. A weekly paper called the "Intelligencer" had also been established there in 1867 and would in time prosper greatly.

The reaper whose name is Death had begun to deplete the ranks of the earliest pioneers. David Kindred, whose house had been the first built by the Simmons party, was among the first to go. George W. Bush had died in 1863, and H. Martin, whose home was on the Columbia, and who had planted eight orchards and eaten fruit from all of them, had died in 1862. Sidney S. Ford, whose hospitable home, near the present city of Centralia, had ever been open to the immigrants, and whose son, Sidney S., Jr., had rendered distinguished services to the territory during the Indian war, died at Olympia, October 26, 1866, while serving as a member of the Council.

Michael T. Simmons, who had led the first exploring party of American settlers up the Cowlitz, and subsequently selected the site of the first settlement on the Sound, died at his home in Lewis County, on November 15, 1867, universally regretted. He had been unfortunate in business during the later years of his life, and died comparatively poor. He had been a leader in all the arduous activities of pioneer life. He had not only explored the way for his associates, but he had been foremost in all their earlier enterprises. He had built the first sawmill and the first flourmill, had been one of the earliest merchants, and one of the first shipowners, and at one time had been considered rich. After Governor Stevens arrived, he became one of his most active lieutenants, and as Indian agent, during the treaty-making period and the Indian war, as well as in other capacities, had rendered the territory services of great value.

John R. Jackson, who arrived in the territory about the same time, and perhaps selected his claim a few days earlier than Simmons did, survived him nearly six years, dying May 15, 1873. He, too, was widely known for his integrity and his hospitality. Hundreds of the earlier settlers had been made welcome on their arrival at his home, "The Highlands," not far from Cowlitz Landing, and he had served the territory also in various capacities and always with fidelity.

Seth Catlin of Monticello, who was Jackson's neighbor, as things went in early days, who had been a member of the convention which adopted the Monticello memorial, and secured the separation of the territory from Oregon, was drowned in crossing the Arkansas River, while on his way to Texas in 1871.

While the progress of the territory had been slow up to the present time, it was now about to enter upon a period of great prosperity. The coming of the first railroad, for which the settlers had long looked so hopefully and anxiously, was at hand.

CHAPTER LIV.

“THE GOD TERMINUS.”

WHILE the members of the Simmons party, and many who came after them, had probably never seen a locomotive or a foot of railroad track,* they knew in a general way that railroads were hastening the development of other new states and territories, and they hoped to live until they should reach their own. They knew better than any other people did, or could, how far they were from the end of any track that was already stretching in their direction, for great as the distance was, they had covered it with their ox teams, and almost without money. In the progressive age in which they were living, they felt sure that a transcontinental railroad was practicable and would come.

It had been talked of long before they started west. In the year 1833, only two years after the first locomotive had made its appearance in the United States, it had been suggested in a Michigan newspaper called the *Emigrant*. One year later Dr. Samuel Barlow, a village physician in western Massachusetts, began to write articles in which he pointed out the feasibility and importance of such an undertaking. About the same time Dr. Parker, with whom Whitman had made his first western trip, asserted that there were no greater difficulties in the way of building such a road than lay in the way between Boston and Albany. In 1845 Asa Whitney, a New York merchant who had been in China, began to urge upon Congress, state legislatures and private capitalists, the desirability of connecting Lake Michigan with the mouth of the Columbia by a line that should cross Wisconsin and Minnesota to the Missouri River, and thence follow the route of Lewis and Clark to the ocean. So persistently did he advocate this enterprise during the following years that he

*There were in 1844 only 4,311 miles of railroad in the United States.

came to be known in his time as, "the father of the Pacific railroad."

The rate of extension of railroad lines was increasing encouragingly year by year. During the first twenty years after building began the average rate of increase had been but 268 miles per year, but during the eight years succeeding, this average increased to 2,350 miles per year.* A single year's work, if all done on a continuous line, would connect the Sound with the Great Lakes at Chicago. Surely the coming of the rails to meet the sails did not, even in that time, seem to be such a long way off.

When in 1853 Congress provided for the exploration of four routes across the continent, the settlers all along the coast took new hope, and when Governor Stevens arrived at Olympia, first of all the explorers to complete his reconnaissance, and assured those who assembled to welcome him that the Northern route was not only practicable, but that it would be the shortest for the commerce of the world across the Pacific, and pointed out to them the grand advantages which their magnificent harbor would afford for the exchange between land and water-carriers, it began to seem probable that their great hope would be realized almost at once.

But there were other considerations than natural advantages that would have influence in determining which of the four routes would first be used. Political considerations, for the time being seemed to control, as in fact they did for the next half dozen years and nothing was done. Then the war came and military considerations for a time were uppermost. Then commercial considerations began to have influence, and these joined with those of a military character carried the day. Engineering advantages temporarily gave

*A Cyclopedia of Commerce Harper & Brothers, New York, in 1858.

way before them, and the first railroad from the Missouri to the Pacific was built, as its chief engineer subsequently said, on the commercial rather than the natural line.

During the years following Stevens arrival with his message of hope, the settlers did what they could to hasten the coming of a road by the Northern route. This was but little, and most of it was futile, but even so it was better than absolute inaction and indifference. In January 1857, while the feeling against Governor Stevens because of his martial law proclamation was still bitter, the legislature, at his suggestion, passed an act incorporating the Northern Pacific Railroad Company and naming the governor, Senator Ramsay of Minnesota and General James Shields, then of the same state, Judge William A. Strong, Colonel William Cock, Elwood Evans, A. A. Denny and W. S. Ladd of Portland among its incorporators. The company was capitalized at \$15,000,000, which might be increased to \$30,000,000 and was to build from one of the passes in the Rocky Mountains (on the border of Nebraska in that day) west across Washington by the Bitter Root Valley, and across the Coeur d'Alene Mountains to the Columbia, with a branch down the Columbia and one across the Cascades to the Sound, these two branches to be connected by a line from the Sound to the river. This act was amended in 1860 by extending the time for beginning actual construction to July 4, 1863, and that for its completion to July 4, 1870.* But no capital

*By this amended act the following named persons were constituted commissioners: Geo. A. Barnes, G. K. Willard, U. G. Warbass, Henry Winsor, A. Frankel, D. R. Bigelow, Wm. N. Ayers, Wm. Mitchell, Wm. G. Dunlap, Milas Galliher, Isaac Lightner, Andrew J. Chambers, John N. Low, Isaac Wood, David J. Chambers, Thornton F. McElroy, John L. Clark, A. W. Stewart, Joseph White, B. F. Ruth, Nelson Barnes, Clanrick Crosby, Gabriel Jones and B. L. Henness.

was raised and no railroad was ever built, either under the original or the amended act.

In February 1858 the legislature adopted a joint resolution in which the advantages of the northern route were fully set forth. It would be a chain of Union between the Atlantic and Pacific states; it would insure the defense of the country, as armies, seamen, munitions of war, and stores for both the army and navy could be transported by it from ocean to ocean in less time, and with less expense than they were sent from New York to the great lakes in 1812; it would give direct and quick transit to mails; military, political and commercial considerations demanded it; the trade of the Pacific Ocean and eastern Asia would take its track; that with India, whose channels had been shifting for a hundred years, would shift once more and cross our continent; the American road to India would become the European track to that region, and the rich commerce of Asia would flow through our centre. The local advantages of the line, connecting as it did with the great lakes and the river lines on both the Missouri and the Mississippi, affording cheap transportation for heavy merchandise, were also summarized, and Congress was reminded that this line could not only be built during the century, but it could be made the great achievement of that particular administration.

The provisions of these early acts, and the declarations of this joint resolution, are summarized thus fully here to show how well advised our early legislators were, and how fully awake the people of the time were to the advantages of railroads. Both the acts of incorporation and the resolutions were no doubt prompted by Governor Stevens, who had since become a delegate in Congress, and who never ceased while he lived to display the greatest interest in the railroad

whose route he had explored. In the first Congress of which he was a member, he made one speech of an hour's length, the grand purpose of which was to emphasize the fact which his survey had demonstrated, that this was the short route across the continent, and across the Pacific, and by its nearer connection with both Asia and Europe, it must become the great route of freight and passengers from Asia to Europe, and of freight from Asia to the whole valley of the Mississippi.

In 1860 a railroad convention, composed of delegates from both Washington and Oregon, was held at Vancouver to which Stevens sent a letter, in which he reviewed the advantages of this route as fully and as accurately as they have ever been set forth to the present day, in a paper of similar length.

Although another line was built before the Northern was begun, the people of Washington did not despair. The new line brought them some advantages in the way of an improved mail service, and in shortening the time by which they could go east and return, though it did not widen the market for the products of their farms, mines or forests. It had grown out of the exigencies of the Civil war, and a more rapidly developed region than their own had offered greater attractions to railroad builders. But while it had been building, Congress had not been allowed to forget that the Northern route was still the shortest and the best for many reasons, and that a road must sooner or later be built there. Friends of this route had been active ever since Stevens' time. They had first sought to secure national aid for a corporation chartered by the state of Maine, but this had failed, and in 1864 Thad Stevens, the great leader of the House of Representatives during the war, had introduced a bill which finally

passed both house and senate, and was approved by President Lincoln, giving a grant of lands to aid in building a railroad and telegraph line from Lake Superior to Puget Sound by the Northern route. But a grant of lands was not sufficient to secure the capital required. The Northern Pacific Railroad Company was organized under this act, and about \$200,000 raised and expended, but no other progress was made. The two years within which, under its charter, actual building must be begun, in order to hold its land grant, were about to expire, when a meeting of stockholders and directors was held in Boston, at which the interest of the presidents of several New England railroads, and other capitalists were enlisted and a new board of directors elected.

This new board applied to Congress for further time, which was granted in 1867, and for a guaranty of its dividends, or other financial aid, which was refused. Some new arrangement was therefore necessary, not only to save the enterprise from failure, but to save for those interested, the money they had already advanced, and it was made by taking in some more railroad presidents, including those of the Pennsylvania, the Erie, and the Northwestern, and some other capitalists and contractors, who agreed to advance \$250,000, to carry on the preliminary work. Surveyors were now sent out to examine the proposed line, and make an estimate of the cost of building it. This occupied another two years, during which Congress again extended the time for commencing actual construction to 1870, and that for completing the road to 1877.

When the engineers had completed their work, they estimated the total cost of the road, as roads were built in that day, at \$157,000,000. To raise this sum seemed next to impossible to those interested, and at the suggestion of J.

Edgar Thompson, then president of the Pennsylvania and a member of the new company, Jay Cooke & Co., were applied to to finance the undertaking.

Jay Cooke was then the foremost banker in the United States. His principal banking office, Jay Cooke & Co., was in Philadelphia, with a branch in New York, while it controlled a National Bank in Washington and a bank in London. It had sold hundreds of millions of dollars worth of bonds for the government during the war, when other agencies had failed to dispose of them, and had acquired a world wide reputation among investors. When asked to become the fiscal agent for a new transcontinental railroad, no part of which had yet been built, the house took the matter under advisement until it could have the line examined on its own account. This examination was made by two parties, one working from the eastern end of the line westward, and one from the western end eastward, and in time those made a favorable report, estimating the total cost at \$85,000,000.

Cooke & Co. now undertook to procure money to build the road, and entered into contracts with the company for that purpose. Some new financial plans were necessary, and they were soon made. Congress was asked to so amend the charter of the company as to permit the issue of mortgage bonds, and to authorize the construction of a branch from Portland, Oregon, to some point on Puget Sound, to be selected as the terminus of the main line. Twenty-five miles of this branch were to be constructed by July 2, 1871, and thereafter forty miles were to be built each year, until it was completed.

The entire issue of bonds was to be \$100,000,000, and they were to bear interest at the rate of seven and three-tenths per cent., payable in gold. They were to be issued

in sums as low as \$50, on which the interest on each bond would be one cent per day. The hope of all concerned was that bonds for such small amounts, bearing such a high rate of interest payable in gold, would at that time attract small investors, who would buy them with United States or national bank notes, then worth about 80 cents on the dollar. Cooke & Co. were to sell them at par, and were to retain \$12 out of every \$100 received, and were in addition to receive \$200 in stock for every \$1000 worth of bonds sold.* The stock of the company already issued amounting to \$600,000, was to be exchangeable for stock at 50 cents on the dollar, and the bank was to raise \$5,000,000 within thirty days, for the purpose of beginning construction. A land company to handle the town sites at stations along the line, was to be organized, and Cooke & Co. were to be the sole financial agents and depository of the railroad.

Cooke & Co. pushed the bond sale as they had pushed that for the government, and with similar success for a time. Advertisements were published in most of the newspapers of the country, both daily and weekly, in magazines, in religious papers,—in fact everywhere where it seemed possible that they would reach the attention of people who had \$50 or more to invest. The desirability of the bonds as an investment were not alone exploited. The character of the country through which the road was to be built, its climate, the richness of its soil and the wealth of its natural

*In these days when state railroad commissions are spending so much money, worth 100 cents on the dollar, to estimate the cost of building, or reproducing these early railroads, no account appears to be taken of the sacrifices made by these early railroad builders to raise money. The facts given above show that the builders of the Northern Pacific had to pay twelve per cent. in money, and twenty per cent. in stock to get money worth less than 80 cents on the dollar, and then pay seven and three-tenths per cent. interest in gold for it.

products were described. Settlers were encouraged to go to it,—indeed this bond selling campaign did more to make the people of the whole country acquainted with the region which now comprises the state of Minnesota, Dakota, Montana, Idaho, Washington and Oregon than all that had been done before. Homeseekers began to pour into Minnesota and the Dakotas, miners and stockraisers to seek the hills and plains of Montana and Idaho, and even the settlers in far away Washington and Oregon for a time saw their numbers increasing with gratifying rapidity as a result of it.

This advertising also produced the results it was intended to produce in a satisfactory way. Although the bonds of the Union and central Pacific roads, some of which were guaranteed by the government, were more attractive to large investors, and their stocks sold more readily, as they were now in operation, other investors in large numbers, bought the bonds of the new line, and within two years the company had received from its financial agents, \$30,000,000 from the securities it had sold.

Building was begun at both ends of the line, according to the terms of the amended acts of Congress. Some lines already built or building in Minnesota were bought, or arrangements were made for their use, and from the end of their tracks the main line was started westward. Ground was formally broken on February 15, 1870, at Thompson Junction, which later became Northern Pacific Junction, 24 miles west of Duluth, and the work was pushed rapidly westward from that point to the crossing of the Mississippi at Brainerd. Ground was also broken at Kalama, on the Columbia, in May of the same year, and within the twelve months following, the first 25 miles of the line extending northward from that point, along the trail over which

Simmons and Jackson, and many who followed them, had first made their way into territory were completed. The whistle of the locomotive was heard for the first time in Washington, reverberating among the hills and along the valleys which twenty-five years earlier had never known the pressure of a wheel.

The settlers had watched every step in this tedious preparation for the actual building of a railroad, with the keenest interest. They had tried at various times to build local railroads themselves, but so far all their plans had failed. In January 1862 the legislature chartered the Puget Sound and Columbia River Railroad Company* to build from Steilacoom to Vancouver. The authorized capital was \$15,000,000, which might be increased to \$50,000,000, and the road might be operated by "force and power of steam, or animals, or any combination of them." Building operations were to be begun within three years and the road was to be completed within ten.

At the same session the Walla Walla Railroad Company was incorporated, which was to build a line from Walla Walla Landing on the Columbia River, to the city of Walla Walla.†

*The incorporators named were: Peter J. Moorey, J. B. Webber, P. Keach, Lafayette Balch, S. McCaw, Thompson Chambers, J. W. Nye, Lewis Lord, Richard Covington, John Aird, Lewis Sohns, Geo. W. Hart, C. Lancaster, F. J. Demarco, Geo. Woods, Enoch S. Fowler, Paul K. Hubbs, H. Z. Wheeler, J. P. Keller, A. A. Denny, H. L. Yesler, Chas. Plummer, W. W. Miller, A. J. Chambers, John Biles, H. D. Huntington, Chas. Holman, Cyrus Walker, Frank Clark and Wm. W. Morrow,

†The incorporators named in this act were: A. J. Cain, B. F. Whitman, L. A. Miller, W. J. Terry, C. H. Armstrong, I. T. Abbott, I. T. Reese, S. M. Baldwin, E. L. Bonner, D. Graig, Wm. A. Mix, Chas. Russell, J. A. Simms, Jesse Drumheller, Jas. Reynolds, D. S. Baker, Geo. E. Cole, S. D. Smith, J. J. Goodwin, Wm. Way, Neil McSlinckey, J. G. Sparks, W. A. George, J. Van Syckle, W. W. DeLacy, A. Seitel, Wm. Ball, B. F. Stone, J. Schwabacker, B. P. Standifer, T. Brown—Tatem and W. W. Johnson.

The capital stock of this company was to be \$300,000, and it was to build the road within five years from the first day of November 1863. This act was amended in January 1864, so as to extend the time for beginning work to January 1, 1865, and that for completing it to January 1, 1870. At the same session the charter of the Columbia and Puget Sound Company was amended by naming several new incorporators* and empowering it to build from Vancouver, when that point should be reached, to a point opposite Celilo, or the mouth of the Des Chutes River. The time for beginning construction was extended to five years, and for completion of the line to fifteen years from the date of the amended act.

But while the people and the legislature were thus planning and authorizing undertakings which they were utterly unable to provide or procure the capital to accomplish, they had chartered a company which was already doing a thriving transportation business on the Columbia and Snake rivers and would in time play an important part in building the railroad, the coming of which was so anxiously looked for. On December 19, 1860, the legislature had chartered the Oregon Steam Navigation Company, with a capital of \$1,000,000, and the charter was amended in the following year so as to allow this to be increased to \$2,000,000. The incorporators were, J. C. Ainsworth, Daniel F. Bradford, R. R. Thompson, J. S. Ruckle* and their associates. By

*The new incorporators named were: John Salter, Geo. Gallagher, W. R. Downey, Daniel Dollins, Charles Prosch, Chas. Wren, E. E. Rogers, C. C. Terry, J. H. Frost, G. A. Meigs, Captain Renton, M. S. Drew, F. A. Wilson, C. M. Bradshaw, O. B. McFadden, Seth Catlin, Hiram Cochran, S. W. Brown, E. C. Hardy, L. Fredenrich, John F. Smith, C. Crosby and C. Jacobs.

*These incorporators were at the time the individual owners of boats plying on the Columbia, Snake or Willamette Rivers.

other acts passed about the same time and later, these incorporators and others were authorized to construct portage railroads, along the Columbia, to convey freight and passengers around the Cascades and the Dalles as far up the river as Celilo. The rush of gold hunters to eastern Washington and Idaho, during the preceding year, had overtaxed all the small steamers of that day plying on the rivers, and made demand for several new ones, which had been built or bought as profitable employment for them increased. The portage tramways around the Cascades, which Chenoweth and the Bradfords had built years earlier and over whose wooden rails the goods and families of many immigrants both to Washington and Oregon, had been transported by animal power, were now relaid with iron rails and operated by steam. Another road was also built to connect the Dalles with Celilo, and these were the first real railroads in either Washington or Oregon.

As business increased, the Oregon Steam Navigation Company grew and prospered. In time it not only controlled the transportation business on the Columbia, Willamette and Snake Rivers, but extended its operations to Puget Sound and along the coast to San Francisco.

As soon as possible after bond selling was fairly started, by Cooke & Co., a committee of the directors was sent to the coast to secure control of this navigation company, as by this means the railroad would secure control of all the transportation facilities of importance then in existence in both territories, and by connecting the river with the Sound by rail, steam transportation facilities would at once be established between all their principal settlements. The next step was to locate a point on the north bank of the Columbia, from which a railroad could most cheaply and

quickly be built to the Sound, and where freight and passengers could readily be transferred between boats and trains, and to begin construction. All this was successfully arranged and the committee returned to New York.

The settlers in both territories, and particularly those in the various towns on the Sound had taken the liveliest interest in all that was so far done, but now that the building of the railroad they had so long hoped for was actually begun, another matter of far more absorbing interest for them began to command their attention.

"It was an ancient tradition," says Mr. Gibbon, "that when the capital was founded by one of the Roman kings, the God Terminus, (who presided over boundaries, and was represented according to the fashion of that time by a large stone) alone, among all the inferior deities, refused to yield his place to Jupiter himself. A favorable inference was drawn from his obstinacy, which was interpreted by the augurs as a sure presage that the boundaries of the Roman power would never recede." But the settlers saw in the location of the western terminus of the new transcontinental line, something more than an assurance that the town to be chosen and the country would not go backward. They knew that the town chosen would immediately feel a quickening influence of tremendous power. The commerce of two continents would be transferred there. Immense docks and warehouses and vast webs of terminal tracks, would be required for this business; the shops and dry docks and other requirements for maintaining both the railroad and the ships would follow; factories in which would be manufactured the goods required by two continents, which would employ armies of men and consume the materials which their forests, mines and farms would furnish in greater profusion and abundance than any

other portion of earth supplied, would spring up; the fires in a thousand furnaces would be lighted, and a myriad of wheels would be turning to supply the ever-varying and increasing wants of man.

As the end of a rainbow sometimes seems near at hand to children who have been told that a pot of gold waits there for that child who can get to it before the bow disappears, so the rich results that were to follow the location of the Northern Pacific terminus seemed now almost within the grasp of the settlers in several towns. The founders of some of these towns had chosen their sites with this end in view. But in the beginning it had been hard to guess which of several attractive points in the several hundred miles of shore line bordering the grand inland sea now known generally as Puget Sound, would be regarded with most favor by those who should finally determine where the first great railroad should end. The roads had not yet demonstrated as fully as they have since done, nor did those who then managed them realize as fully as they do now, that the first great requirement for a terminal city is easy access to deep water, with as much level land leading to and lying near it as can possibly be secured. As the managers themselves did not fully understand this, it is not surprising that the settlers should not do so, and therefore that those not only at many points along the Sound, but on some of its islands as well should hope that their town, or town site, might be chosen, and the pot of gold secured for them.

The principal contestants for the prize were, Olympia, Steilacoom, Seattle, Tacoma and Mukilteo, although Whatcom, Port Townsend, Anacortes—then and for many years after nothing more than a land claim on Fidalgo Island—Holmes Harbor on Camano, and Penn's Cove on Whidby

Island, had aspirations, and the people interested in them, although in some of them few indeed, thought for a time that one or the other of them might finally be selected.

Of all these towns, Olympia was the largest. The census of 1870 shows that it had a population of 1203, while its suburb, Tumwater, had 206, and there were 2,246 people in Thurston County. Seattle's population was 1,142, and that of King County 2,164. Steilacoom was much smaller than either, and had already reached and passed its zenith. In 1858 when the Fraser River excitement was at its height, Balch, the principal proprietor of its townsite, had unwittingly given it its death blow. At the time he owned a lumber yard in San Francisco, a sawmill near the mouth of the Nisqually, a store at Steilacoom, and several ships that were doing a thriving trade along the coast. He spent much of his time in San Francisco, and was there when copies of Charles Prosch's Puget Sound Herald, arrived with news of the Fraser River gold discoveries, and sold so readily at five dollars apiece. Realizing that the new mines, if they should prove as rich as these early reports indicated, would be of immense value to the Puget Sound Country, he wrote his partner, J. B. Webber, to sell no more lots until further orders. When this order arrived in Steilacoom, buyers were numerous. Lots that had for a long time been offered at \$50 each, could have been sold readily for \$500 to \$1,000. Buyers with cash in hand stood ready to take them, but under his instructions Webber could not sell, and before Balch could be notified of the situation they went elsewhere. From that time, the fortunes of the town began to wane. Balch died in San Francisco, in 1862, and five or six years later Prosch removed his paper to Olympia, where it became the Pacific Tribune, and when the contest for the terminus began

in 1870, the population of the town was less than 700, and its people were without a leader or a newspaper.

The population of Tacoma was less than 200. Mukilteo located on Point Elliott, and now a part of Everett, was still smaller. The people of Olympia and Seattle believed, and with reason, that the contest lay between those two towns and both now put forth their best efforts to win the prize. Their efforts were greatly stimulated by the evidences of prosperity that they saw were following the work already begun. The owner of a claim on the Columbia, where the railroad managers wished to locate their river terminus and begin building their line northward, had been offered \$10,000, and ten lots in the new town for his claim, but refused it; he wanted \$50,000. The river terminus was then located at another point four miles away, after which the grasping ranch owner offered to take the ten lots for his ranch and was refused. As soon as road-building actually began, speculation in town lots, both at the river terminus, and at prospective stations along the line began to be active. Prices advanced with every sale, and the most surprising expectations were entertained. Kalama was soon to outstrip Portland, it was said; it was sure to be the chief city of the Columbia; it might even excel New York or Chicago, and be the chief city of the coast and perhaps of the country. All this stimulated the hopes and expectations of the settlers in the hopeful towns on the Sound, particularly those of Olympia and Seattle. Surveying parties had already begun to appear in their neighborhoods, but after working for a time they disappeared, leaving people no wiser than when they came. The hopes which they aroused when they came, would be dashed when they retired, or when it would be learned later that they were at work in some other

neighborhood. Finally in December 1870, the citizens of Olympia appointed a committee, with Hon. Elisha P. Ferry who was then the surveyor general, at its head, to confer with Director Rice and Thomas H. Canfield, who were then in charge of the railroad company's interests on the coast. By these gentlemen they were told that they were not authorized to select the terminus, and that it would not be selected before the following June. They were also assured that the company had no interest in land speculations; that the intention was to connect the river with the nearest practicable point on the Sound, and that they as the representatives of the company, were impressed with the desirability of making the point of contact at the most desirable place, as they were apprehensive that after the road had once touched deep water its land grant would follow it no further.

The members of this committee were cheered with the assurance that the company's desire was to reach the Sound at the nearest practicable point, as that seemed to be Olympia without doubt, though they were also disturbed by the suggestion in regard to the land grant. That intimated that the "nearest practicable point" might be some distance farther down the Sound.

Evidently some effort was necessary, or at least desirable to make sure of securing what was desired, and during the succeeding weeks the Olympia Branch Railroad Company was organized, with a capital fixed at \$400,000, to build a branch road from Olympia to connect with the Northern Pacific track at the nearest point southward. It was expected that this company would take charge of future negotiations in the city's interest, and prepare itself to offer inducements that could not well be refused. But it was not easy to raise \$400,000 in Olympia at that time, and subscriptions to the

stock of the branch company came in but slowly. The people talked of the project with enthusiasm, but they were not altogether united in support of it. Finally it was proposed to petition congress for the 1,337 acres of mud flats at the head of the inlet, to be offered to the company for terminal grounds, and a petition was accordingly prepared. The Branch Company then communicated with General John W. Sprague, and J. W. Goodwin, who by this time had been placed in charge of the Northern Pacific interests, in place of Rice and Canfield, who had returned to the East, and were by them encouraged to persevere in their efforts. But congress did not look with favor upon the proposition to further endow the new railroad to which it had already made a liberal grant of lands, with a kind of land that it was supposed to hold in trust for the state when it should cease to be a territory, and the petition was refused.

The citizens were then again appealed to. It was proposed that each property owner should contribute half of all the land he owned, whether in lots or acres, to be given outright to the railroad company, provided it would locate its road to Olympia before May 1, 1872, and build and operate it before January 1, 1875. This proposition, hard as it was, was received with favor by many. They realized that the opportunity was one not likely to be offered soon again. Indeed it would never be offered again, since this was the first railroad to come to the territory; another was not likely to come for many years, and to bring it to the town, at that time, would secure many advantages that no future road could give. But others professed to believe that the road must come to them anyway, and they would do nothing, and so the proposition was, for the time being, abandoned.

Meantime, the railroad was steadily extended northward, and people watched its progress with increasing interest. Settlers along the line found their property increasing in value in a most satisfactory way. Speculation in town property at Kalama continued, and lots were bought and sold at city prices. But there was little demand for property in any of the towns on the Sound. The people of Olympia began to be despondent. The offer they had made the company remained unnoticed for many weeks. They could get no information save such as could be obtained from observations along the line, where four or five hundred white men and seven or eight hundred Chinamen were shoveling dirt and laying rails. It was not until Christmas day, 1871, that a letter was received from Messrs. Sprague and Goodwin saying that "the company would comply with the first condition they had made, by causing a railroad to be located, before May 1st, next, connecting the Columbia River with a point on the navigable waters of Budd's Inlet," and asking for a right of way from Bush's Prairie to deep water.

While this was not a specific promise that Olympia would be the terminus, it was received with satisfaction. People easily assured themselves that if the road came to Olympia, as promised, it would end there; it would be the first point touched on the Sound and therefore must be the terminus. With this assurance, which rapidly grew into conviction, the people took confidence. The price of town property advanced at once, and kept advancing until wholly unlooked for prices were asked and paid. New buyers arrived daily. The hotels were filled to overflowing. Rents advanced in proportion to the advance in real estate prices, and every property owner felt that his fortune was made. The town

immediately took on an aspect of prosperity. Street improvements, which had heretofore advanced but slowly, were now pushed with vigor. The marshy part of Main street between Third and Sixth, which for several winters had been little better than a quagmire, was corduroyed, and the portion above it was planked from Sixth to Ninth.

But May came and went and no surveyors appeared to locate the promised terminus. The hopes of the people and the prices of their property began to decline. Late in June, Chairman Blinn wrote to the headquarters which were then at Kalama, asking if the promise made was to be kept, if so, when and where the promised line would be located. He was informed in reply, under date of July 3, that "The line of railroad runs to the east side of Budd's Inlet to the Billings or Wylie donation claims, and a point will be selected on one of said claims for a freight and passenger depot, where said line will terminate."

This assurance was accepted as satisfactory, and the hopes and activities of the people at once revived. The good feeling thus established continued until the forty-mile section, which was to be completed during the second year, was finished, and the road builders began to prepare the way for the second section which would reach the terminus. Then people saw to their sorrow, that these operations led toward the northeast, through Yelm toward Commencement Bay.

It was now evident that Olympia was not to be on the main line at all, and in March 1873 a meeting of citizens was called to take such measures as could be devised to protect, or if possible to advance the interests of the town. For twenty years at least, it had been not only the political capital of the territory, but the commercial capital as well.

Steilacoom had disputed its supremacy, in a commercial way while Balch lived, but since his death there had been but little competition. Olympia merchants had supplied all the towns, the mills and the logging camps on both sides of the Sound, and along the rivers to the south and west. The miners also had bought their outfits there. Most of the ships that came to the Sound, except those owned by the mill companies and employed exclusively in their service, came to her harbor. The local transportation lines had their headquarters there. But all this was likely to be changed now unless something could be done to secure a connection of some sort with the railroad.

No practicable plan for securing what was needed was suggested at the meeting. Nothing but a branch railroad to connect the town with Tenino, fifteen miles away, seemed to promise the results desired, and it hardly seemed possible that the money necessary for such an undertaking could be provided. The citizens were despondent. Their property was no longer salable. Rents decreased. Many buildings were without occupants. Owing to some improvidence of management the public schools closed for lack of funds, and to complete the misfortunes of the place, one of the principal merchants ran away with a large sum of money belonging to the firm, leaving his partner in embarrassed circumstances.

While the people of Olympia were thus awaiting the location of the terminus with anxiety, though not without hope, those of Seattle were looking for it with confidence. Though their town was as yet little more than a lumber camp, it was beginning to have a foremost place among the mill towns of the territory. The big mills of that day were at Port Gamble, with a capacity of 100,000 feet per day. Those of

Port Madison could cut 60,000; those at Seabeck 50,000; those at Port Blakely 40,000. In Jefferson County, the mills at Port Discovery had a capacity of over 50,000, and those at Port Ludlow 40,000. There were two mills at Knappton, in Pacific County, rated at a capacity of 37,000 feet per day each. The capacity of Yesler's mill was 40,000, while that of Williamson & Co. at Freeport, on the opposite side of the harbor, could cut 35,000 feet per day.*

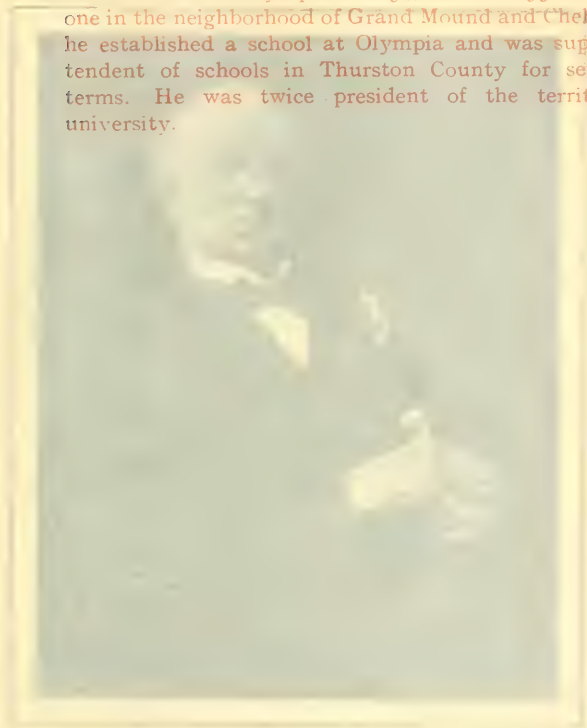
According to the census of 1870, Walla Walla was the most populous county in the state and the richest. Its population was 5,302 and the valuation of its property \$3,187,808. The population of Clarke County was 3,081; and its property valuation \$803,029. The population of Thurston County was 2,246; property valuation \$1,185,473. King County's population was 2,164, and its property valuation \$1,002,389.

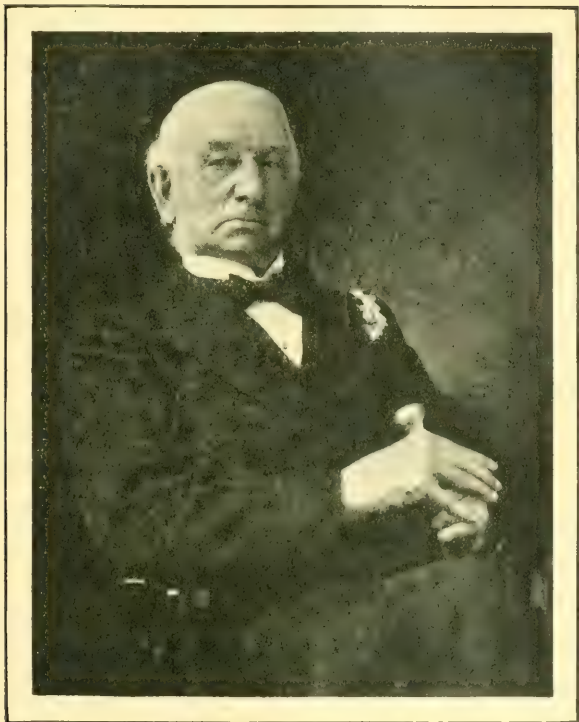
But Seattle was on the east side of the Sound, while most of the other lumbering towns were on the west side, and therefore at a disadvantage, from a railroad point of view. Moreover, the coal mines in King County had by this time been prospected with some care, and some of them had been so far opened that samples of their product had been tested with fairly favorable results. Tobin, Fanjoy, Mattice and Eaton had found coal on Black River as early as 1853, and had some hope of wealth from it, before the three last named started for the gold mines at Fort Colville in 1855, and were murdered by the Indians. After the war other prospectors had found coal on the Issaquah, Coal Creek and at various points on the Cedar and Green rivers. Samples from these

*Puget Sound Business Directory and Guide to Washington Territory. Murphy & Harned, compilers and publishers. Olympia 1872. The capacity of Hanson, Ackerson & Co.'s mill at Tacoma, is not given in this publication.

REV. GEORGE F. WHITWORTH, D. D.

Born in England in 1816; came to the United States in 1828; graduated from Hanover College in Indiana in 1838; crossed the plains to Oregon in 1853, and to Puget Sound in 1854. He organized the first Presbyterian church at Olympia in 1854, and in 1855 another one in the neighborhood of Grand Mound and Chehalis; he established a school at Olympia and was superintendent of schools in Thurston County for several terms. He was twice president of the territorial university.





several measures had been brought to Rev. Dr. Whitworth and Rev. Daniel Bagley, who, while not specialists by any means, were convinced that most of the measures from which they came were valuable, and the discoverers were much assisted by their learning, imperfect as it was. In later years, men of practical experience had examined the prospects, and purchased interests in them, and the Coal Creek and Newcastle veins had been so far developed that considerable quantities of coal were brought to the harbor, part of the way by tramway and part by boat.* The Renton mine had also been so far opened that considerable quantities of coal for that day, were sent out in a similar way. While but little of the product of these mines was made available for use at the time, the people realized the value of coal for the purpose of transportation and manufacturing, and confidently believed that these mines would have a considerable influence in fixing the terminus of a railroad when the time should come.

But there were still other reasons which gave people confidence at that time. The Snoqualmie Pass, by which the Klikitats had crossed the mountains to attack Seattle in 1855, was believed in that day to furnish the most favorable route across the range. Governor Stevens had adopted it

*Means of transportation are comprehensive enough for the present demand. It consists of a narrow gauge railroad from the mine to the lake (Washington); arriving there the cars are run on board of scows, on which tramways are laid; these scows are towed to the head of the lake; thence the cars are run over another railroad, and drawn by horse power a quarter of a mile to Lake Union, where they are again placed in scows and towed across the lake, a distance of one mile; thence they are again placed on a track and taken to Seattle, a mile distant, by a donkey engine. The mine yields from 50 to 100 tons per day as required, but the average quantity taken out is probably the former figure. Murphy & Harned's Puget Sound Business Directory 1872.

as the most available, and had recommended it as the route by which the main line of the railroad to the Sound, would ultimately cross the mountains to end at Seattle. His map shows this location of the line, and in all his speeches and addresses, and in many of the letters he had written after making his survey in 1853, he had spoken of Seattle as the terminus. In a very able letter to the Vancouver Railroad Convention in 1860, he had embodied tables, showing the length of the various sections of the road, and giving estimates of the cost of building them, and in these he had mentioned Seattle only as the western terminus. The various surveyors sent out by the company after it was formed, and by Jay Cooke & Co. had seemingly approved the governor's recommendations, and even after building had been begun from Kalama northward, General Tilton had been employed to make some surveys from Seattle eastward, and southward all of which seemed to indicate that the builders of the road had no other terminus than Seattle in contemplation.

So far the railroad company had experienced no difficulty in getting money since Cooke & Co. had undertaken the sale of its bonds. The admirable advertising which the bank was doing was producing satisfactory, and more than satisfactory results. The line of the Northern Pacific began to be talked about as running through "the banana belt," because of the glowing descriptions of its climate, as well as of the productiveness of its soil, which the bank's advertisements contained. While many were incredulous, and read these advertisements with a sneer, professing to believe, and some no doubt believing that the country was what they had long supposed it to be, a wilderness of ice and snow, and almost as barren as the Arctic region itself, the bonds

continued to sell. The directors of the road seemed to fancy they had found a genuine Fortunatus purse, and that Cooke & Co. would succeed to the end, as they had succeeded with the bonds of the government, which they had disposed of in a similar manner. They pushed their line rapidly westward to the Red River, and also built branch lines, for which there was at the time no pressing need, but which would in time prove profitable. They also pushed work on the Western end, as they had agreed to do, and during the summer of 1872 sent out a second committee, composed of five members of the board of directors, to settle some questions of location along the line, and select the Western terminus. These gentlemen, accompanied by their chief engineer cruised about the Sound for a week or more on the steamer North Pacific, visited all the points which aspired to become the terminus, talked with their citizens, and received such offers as they were prepared to make to secure the coveted prize.* This committee did not determine which of the towns on the Sound should be the terminus, but narrowed the choice to three, Tacoma, Seattle and Mukilteo, leaving the full board to make the final decision. They however, decided against Olympia, Mr. Smalley says,† “because the receding tide left its port a wide expanse of mud and mussel shells for half of every 24 hours. Steilacoom seemed to be upon a strait rather than on a good roadstead. Seattle, then a petty lumbering place, of perhaps two score houses,‡

*The people of Seattle tendered them 7,500 town lots, 3,000 acres of land, \$50,000 in cash, \$200,000 in bonds, and the use of a considerable part of the shore lands in front of the town for terminal tracks and depot purposes.

†History of the Northern Pacific Railroad, by Eugene V. Smalley, New York, G. P. Putnam & Sons, 1883.

‡It was a town of 1,142 people as shown above.

was objectionable because of its steep hill and lack of level ground for depot yards and sidings. The other places lower down the Sound were too far distant from the Columbia River." "They wanted to start building," continued Mr. Smalley, "at the nearest point on the Sound where they could find a good harbor, good shore facilities for wharves, and plenty of cheap land to acquire for the future city. So they pitched upon Tacoma on Commencement Bay, as the place best fulfilling all these conditions."

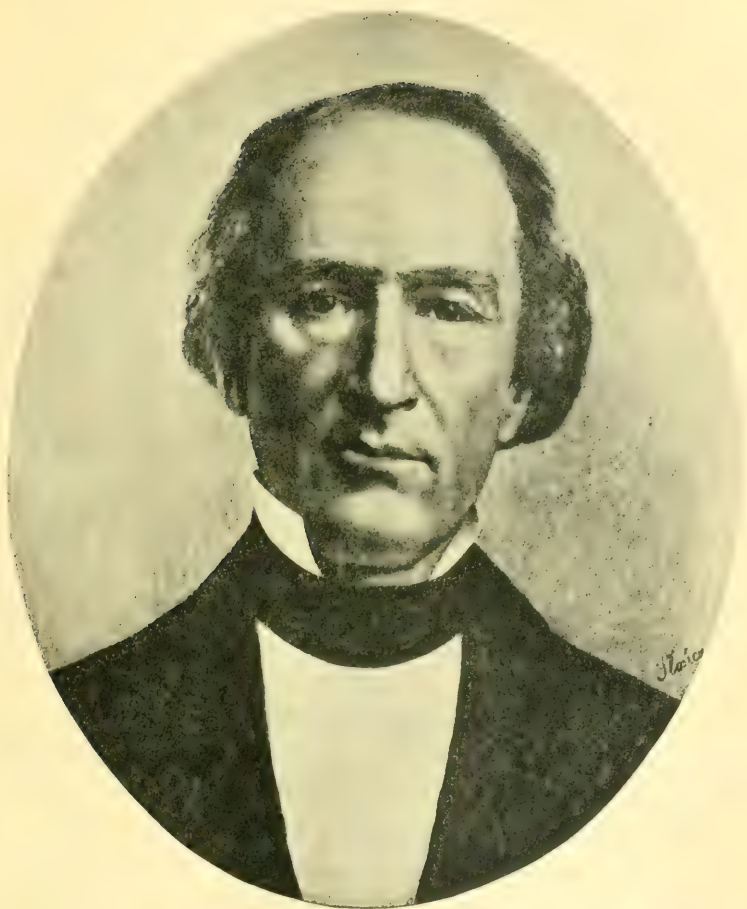
Nearness to the Columbia became a far more important consideration after this committee reached New York than it had seemed while they were on the Sound. The sale of bonds had fallen off during their absence, and the company was beginning to be pressed for money. The liabilities already incurred had become pressing, and it was difficult to meet them. The president of the company had resigned during their absence, and General Cass, one of their number, had been elected in his stead. He found the task before him a most discouraging one. Not only had the resources of the company failed for the time being, but it was beginning to be apparent that the country was in a very unsatisfactory condition financially. The large volume of paper notes issued during the war had been reduced only moderately. They still circulated at a discount. Business was distrustful, or beginning to be so, of the ability of the government to pay on demand, and a crisis was impending that was not to be much longer delayed.

The committee of directors had been careful to give no indication of what their conclusions or impressions were while on the Sound, and when they left for New York, the people on the coast were as ignorant as to what their intentions were as when they came. Sometime later Director

GEN. MORTON M. McCARVER.

This famous pioneer and city-builder crossed the plains to Oregon in 1843; was speaker of the House of Representatives under the provisional government; went to California soon after gold was discovered, and finally, in 1867, founded and named the city of Tacoma.





R. D. Rice was elected vice-president of the company and John C. Ainsworth of Portland, was made managing director for the western division, and these two officials were charged with the responsibility of finally fixing the terminus. But they gave no intimation for several months of what they intended to do, and meantime they bought all the land on the west shore of Commencement Bay that the company would not acquire through its grant, and which the holders could be induced to part with. They visited the Sound in July and on their return to Kalama on the 14th, telegraphed the directors in New York and General McCarver in Tacoma that they had made choice of Tacoma as the terminus. This report was ratified on September 10th, and a land company was formed to own, improve and manage the sale of the town-site.

Up to this time, Tacoma seems hardly to have been taken into account in the contest by any of the other towns. It was as yet scarcely a village. In 1864 Job Carr and his two sons had chosen claims on the west shore of Commencement Bay, in the expectation, as it has since been claimed, that a railroad terminus might some time be fixed there. For three years or more they were the only settlers on the harbor. Governor Marshall F. Moore had purchased part of one of their claims but did not live on it, and other people had afterwards taken claims in the neighborhood and acquired title to them or taken such steps as they could to acquire it.

In 1867 General Morton M. McCarver, who had come to Oregon with the Burnett-Applegate party in 1843, and afterwards served for a time as speaker of the house of representatives under the provisional government, and as commissary-general in the Indian wars, came across the country

on horseback from Portland to the Sound, for the purpose as it appears, of finding a place on its shores that would ultimately be the terminus of the first railroad to cross the continent. He had had a curious experience as a founder of cities, or thriving towns. He had lived in Chicago when it was little more than a village, and subsequently moved to Iowa, where he had founded the town, now the city of Burlington. After coming to Oregon, he had located a town on the bank of the Willamette below Portland, which he called Linnton, and which for a time promised to become a city of consequence. Later he had gone to California among the earlier gold hunters, and had joined with Captain Sutter in building up Sacramento, in opposition to Benicia, which in that day aspired to become the capital of the state.

McCarver was a relative, by marriage, of Captain J. C. Ainsworth, who was then prominent in the management of the Oregon Steam Navigation Company, and afterwards managing director for the coast, of the Northern Pacific Railroad, and it may have been as a result of conferring with him that he came to the Sound in search of the future terminus. At any rate after examining the Sound and the country about it to his satisfaction, he finally fixed upon the west shore of Commencement Bay as the location most to his liking. Here he bought all of Carr's claim but five acres, built a cabin and removed his family to it within a short time thereafter.

From time to time he bought more land for himself, L. M. Starr and James Steel, two wealthy men of Portland, whom he had interested in his undertaking, and began to procure agreements for a right of way for a railroad through the claims of other settlers. He also sought for men of means to build a sawmill, and start mercantile and other establishments on

the harbor, and in 1868 sold 38 acres to William Hanson and John W. Ackerson of California, who with their partners soon began the construction of their mill. He had not yet platted or named his town, but during the year he had a plat of thirty-one blocks surveyed, and this plat was for the time being called Commencement City.

But this name was not satisfactory, and he began to correspond with his partners in regard to another which would be shorter and more attractive. It is claimed that Philip Ritz, for whom Ritzville was named some years later, and who was even at that day well known both in eastern and western Washington, suggested Tacoma, and that McCarver was pleased with it. Anyway some of his letters, which are still in existence, show that he proposed it to his partners, during this year, as a name for their new town, and in due time it was accepted.

The name had begun to be popular in the territory before McCarver came to it. Theodore Winthrop, in his sprightly story "Canoe and Saddle," published half a dozen years earlier, had applied it to the noble mountain which he had first seen reflected in the placid waters of Commencement Bay. This mountain, Vancouver had named Rainier sixty-one years earlier—"stupid nomenclature," as Winthrop thought "perpetuating the name of somebody or nobody. More melodiously" he says, "the Siwashes call it Tacoma—a generic term also applied to all snow peaks." Nobody at the time disputed this statement or questioned it. The novelty of the name, as well as the rythm of it commended it, and everybody received it with favor and without question as to its origin. In January 1866, a correspondent of the Washington Standard who signed himself "Philopatris," and who is believed to have been Thaddeus Hanford, Judge

Hanford's elder brother, had suggested that it be adopted as the name of the territory when it should become a state, and the suggestion had met with some favor. He had also said in the same letter, which was a very long one urging a general revision of the nomenclature of the territory, that "a better name for one of our grand mountains than Tacoma cannot be found." A lodge of Good Templars at Olympia, an order that was then very popular in the territory was named Tacoma, at the suggestion of Edward Giddings, one of Winthrop's ardent admirers, and later a hotel in the same place had taken the name.*

For some time after the announcement was made that Tacoma was to be the terminus, it appeared that the railroad company did not intend to stop building at that point, but would extend its tracks, if possible, still further down the Sound. In its interest the government lands had been withdrawn from settlement on both sides of its right of way, from the Columbia River to a point six miles north of Seattle, and before the rails reached Tacoma, a right of way was cleared through the Indian Reservation to the brow of the hill overlooking the Puyallup Valley, all of which indicated that the line was to be continued northward.

But by this time Jay Cooke & Co. had failed, and the railroad company was in the deepest of financial difficulties.

*McCarver did not file his plat for record until December 3, 1869, and meantime Anthony P. Carr had platted a ten acre tract near it and filed it as a plat of Tacoma on November 30th. McCarver was thus compelled to file his plat as an addition to Tacoma, or give it some other name, so he called his plat Tacoma City. The plat he filed was the one he had been using for some months in selling lots, and on which the name "Commencement City" had been first written. The word, "Commencement" had been erased and Tacoma, in the handwriting of Colonel C. P. Ferry, substituted when McCarver's partners had signed it and acknowledged their signatures, in October 1868

It was only by the most heroic efforts that track building was continued to the point fixed upon as the official terminus, on the shore of Commencement Bay. Here the last spike was driven by General McGarver about 3 o'clock on the afternoon of December 16, 1873, and a little later the first through train from the Columbia River to the Sound arrived at tide water. But the graders and track layers who had built the road thus far, had not been paid, and they were urgently demanding their money. The company could not or did not forward it, and the contractors for the time being, disappeared. The men then took possession of the track, built a barricade across it and threatened to tear up the rails and destroy the bridges, and they were only prevented from doing so by the promise of Captain Ainsworth that he would himself provide the money to satisfy their claims, if he could, in the then condition of things, procure it on his own personal credit. This in time he managed to do, and so saved the track from destruction.

The people in the other towns along the Sound, particularly those in Seattle and Olympia, now realized that they must make a fight for their existence. They had not only failed to secure the terminus, but a new town had been established which would have the advantage of railroad connection between the Sound and the river; that all the business of the Sound transportation lines, as well as of the railroad, would naturally center there; that all the people who had been waiting for the terminus to be fixed before selecting their abiding places and making their investments, would go to the new town, as they immediately did, and that it would also have a very great advantage in attracting to it those who should come later. But they were by no means disposed to consider their own case hopeless, or to give up the battle.

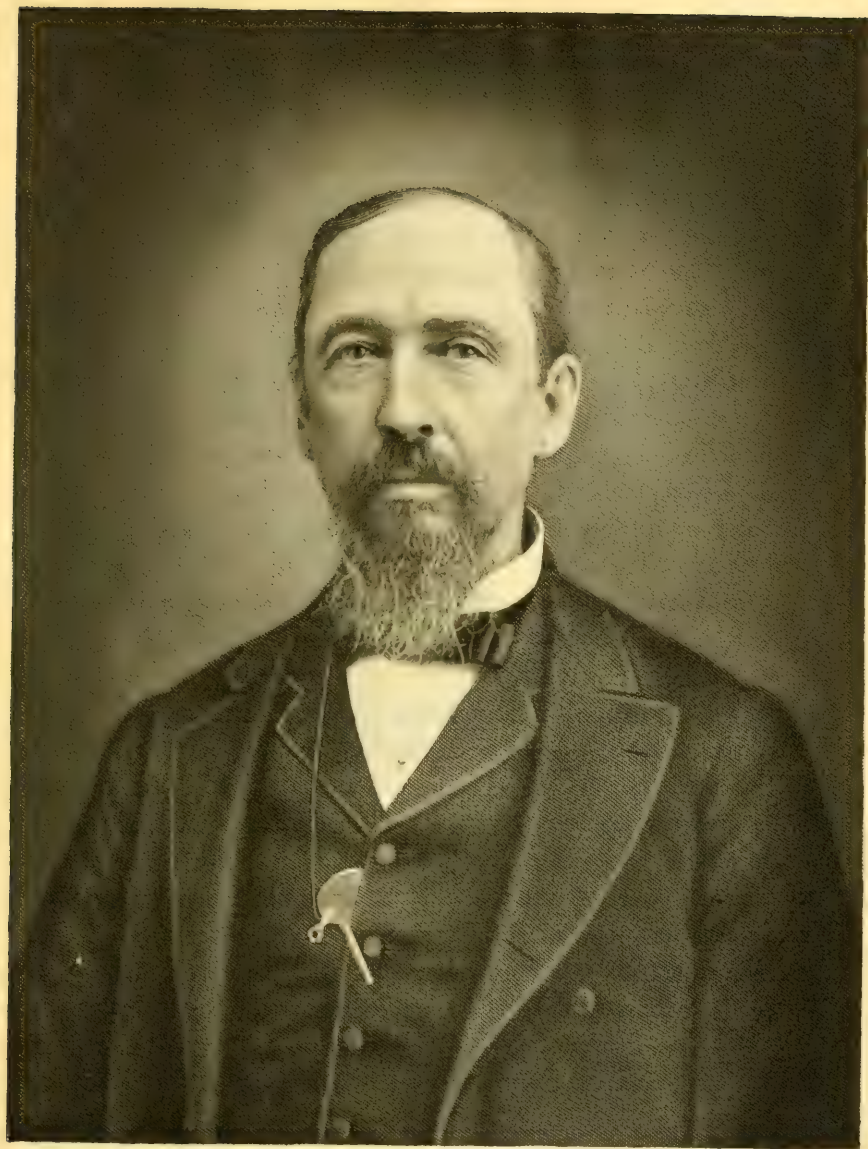
A public meeting was held on the sawdust in front of Yesler's cookhouse, which was then the one center of resort in Seattle, and nearly all of the 1,142 people in the town were present. Selucius Garfielde, who had been defeated for re-election to Congress a year earlier, and was now practicing law in Seattle, was the principal speaker. He pointed out that while the charter of the Northern Pacific Company as originally granted, had provided for a main line from a point on the Columbia near Wallula across the mountains to the Sound, with a branch down the Columbia, it had recently been permitted to make a change by which the Columbia River branch was to be the main line. This he argued, would make the real terminus on the Columbia River, and that little if any business would be sent across to the Sound at Tacoma. The branch from Wallula to the Sound would probably never be built. The salvation of Seattle, therefore, would be found in building a line of its own through the Snoqualmie Pass, over the route which Stevens had selected to the rich and prosperous Walla Walla country, whose products would thus be given an outlet to the Sound. The figures he quoted showing the cost of transportation down the river, with its frequent portages, thence by rail from Kalama to Tacoma, compared so unfavorably with the cost by narrow gauge railroad direct to Seattle, that the people received his suggestion with enthusiasm, and steps were at once taken to organize a company, procure capital and begin to build a road. A. A. Denny and John J. McGilvra were appointed to go to Walla Walla and interest the people there in the undertaking. Within a few days, books were opened and the stock of the company was rapidly subscribed, some of which was paid for in money, and some in land, which was

JOHN J. MCGILVRA.

Born in Livingston County, New York, July 11, 1827; studied law in Chicago, where he made the acquaintance of Abraham Lincoln, who, in 1861, appointed him United States attorney for Washington Territory. He arrived in Olympia in June 1861, and thenceforth took an active part in many enterprises, both of a public and private nature, having for their purpose the development and advancement of the territory.



John J. McGilvra



John D. Philbrick

accepted at a certain valuation as an equivalent for money.

For the time being, the enterprise was favorably received, not only by people along the proposed line, but everywhere in the territory, except along the line of the railroad already in operation. Most of the newspapers favored it. The legislature was appealed to, and during the winter passed an act authorizing the counties of King, Yakima, and Walla Walla, or any other county through which the proposed line might pass, to issue bonds in support of it with the consent of three-fifths of their qualified voters to be expressed at a general election, called for the purpose. It also passed an act relinquishing all right, title and interest of the territory to all the tide lands in Elliott Bay south of King Street, and granting them to the proposed railroad, provided that fifteen miles of it should be completed within three years after the passage of the act.

But the enthusiasm with which the proposition was at first received outside of Seattle, soon began to wear away. The people of Walla Walla began to make conditions. Dr. Dorsey S. Baker was already building his famous "rawhide" road from Wallula to their town, and had some twelve or fifteen miles of it in operation. He was not disposed to favor the new enterprise, as the success of his own was already assured, and he had done and was doing more than all the other people in his portion of the state had been able to do since the charter of the Walla Walla Railroad had been granted in 1862, and more than they could do for any other enterprise.

At this early stage, therefore, it began to appear that Seattle alone must do all that was to be done. The first concern was to secure capital, and the times were far from

propitious for an undertaking of that kind. Even the Northern Pacific, with its vast land grant, and backed as it was by the approval of Congress, was now bankrupt and without credit. It was not easy therefore, for the people of a little lumbering village to raise money for a road 300 miles long that was as yet unsurveyed and did not own even a right of way.

But the survey for the line was begun by General Tilton and T. B. Morris, and early in 1874 their report with estimates of cost, was made. They thought it could be built for an average of \$14,000 per mile, making the total cost, by the lower Yakima route, \$4,179,910, or \$3,677,962 if built by way of Priest Rapids. They figured that it might count upon a revenue, when completed, of \$1,600,000 per year, from wheat and live stock, coal and lumber, and other products, and even if it should not exceed half that amount, it would cover all fixed charges and leave a handsome surplus.

But even this favorable showing failed to interest capital, and the people soon saw that they must do what was to be done themselves. It was accordingly arranged that they would begin the work with their own hands, and continue it until the road was built. The first of May was fixed upon as the day to begin operations by breaking ground and putting in a full day's work, in which every individual in town should have an active part. The day dawned bright and clear, and all the steam whistles in town and harbor hailed it with long blasts. A few pieces of cannon and several anvils were fired, the church bells and school bells were rung, business was wholly suspended and at an early hour, every man, woman and child in Seattle went on board steamboats, barges, and every other conveyance which could be brought into use to take them up the river to the place

where work was to be begun. This had been chosen at a point nearly three miles from the proposed terminus, where work would be easiest, and where the best showing would be made as the result of the day's operations. Here the men and able-bodied boys began work. Some with axes and saws cleared the right of way; others with pick and shovel threw up the dirt for the grade. There were no laggards or shirkers. Bankers, merchants, school teachers, preachers, laboring men—those who were not accustomed to rough work of this kind, as well as those who were, went at it with a hearty good will, and by noon a very satisfactory beginning had been made. By this time the ladies who had accompanied the party had an ample mid-day meal prepared, for which all had hearty appetites, and when it was disposed of, some speeches were made, in which the orators not only exulted over the favorable beginning they had made, but predicted unbounded success as the ultimate result of the enterprise. A full afternoon's work was then added to that of the forenoon, and at its completion the entire party returned to town thoroughly tired, but resolved to continue the work, each giving one day in the week of his time and effort to it, until success should crown the undertaking.

But public enterprises thus begun with enthusiasm, usually lag somewhere; it was so with this one. The expectation that fully fifteen miles of the road would be in operation before the winter rains began was not realized, although nearly twelve miles had been graded by October. Some attention had also been given to the collateral enterprises which had been planned from the first. Something had been done in the way of getting new coal mines opened, that would furnish business for the road when it was ready to receive it, and some San Francisco capitalists had promised

to start a ship yard and iron works in town for a certain subsidy in land. Others had also undertaken to negotiate a loan of \$200,000 to help build the road.

But times were still unfavorable for raising money, and plans were made to make a new appeal to Congress for assistance. Judge McFadden, who was then the delegate from the territory, had been doing what he could, although he was then in failing health and died soon after, and Mr. Denny had been sent to the capital at his request to assist him. But railroad legislation was at the time unpopular. As is always the case in times of financial depression and distress, people were complaining of the immense grants already made to railroads, and besides a number of new enterprises were appealing for recognition and assistance. The people of Portland were pressing for a line to connect their city with the Union Pacific. The Northern Pacific was also seeking additional favors, and both these enterprises were antagonistic to Seattle's undertaking. As election time approached, all effort was made to secure the election of a new delegate, who would have the interest of this road particularly at heart, and Judge Orange Jacobs was nominated and elected. He was not able to do more than McFadden had done, and a year or more went by in which but little was accomplished. Voluntary work by the citizens was continued, but it was beginning to be apparent that this could not be relied upon to complete the road. Capital from some source must be secured. But more than all, a man must be found who could and would take charge of the work and push it through to completion.

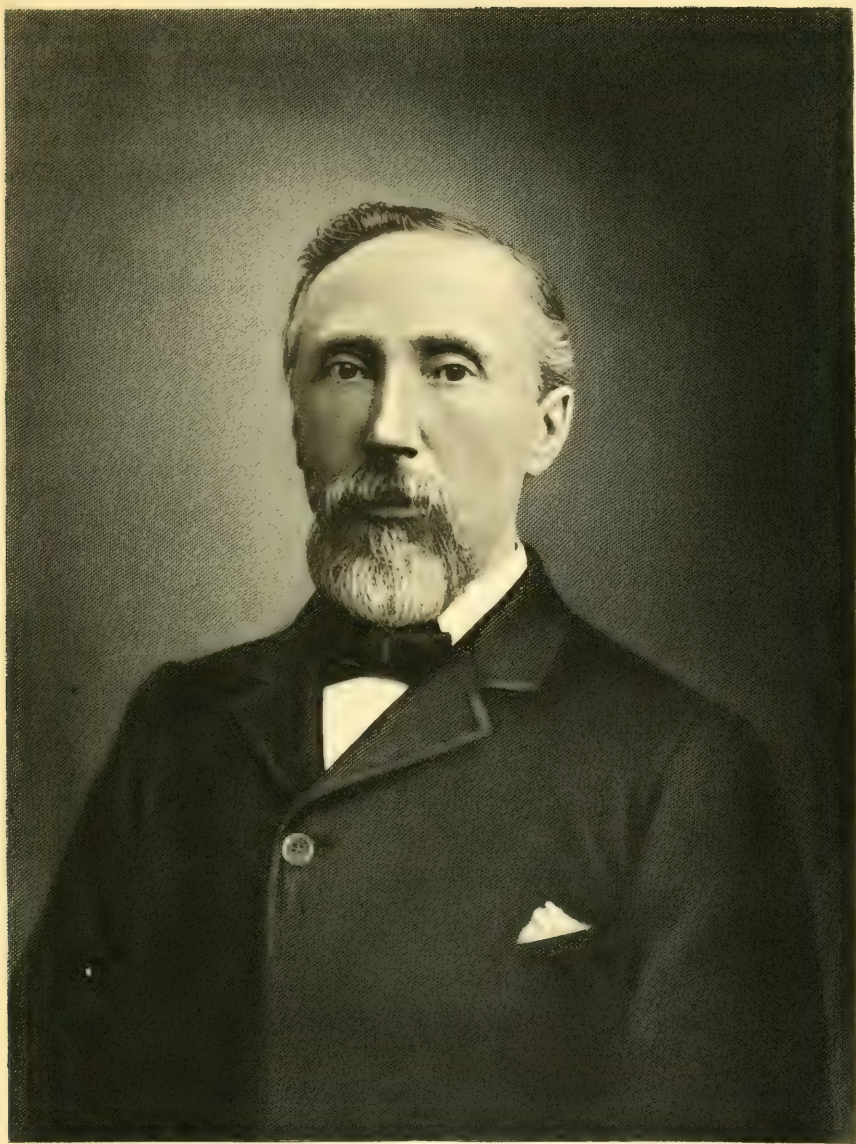
Luckily for Seattle there was such a man already interested in the enterprise, and he was quite competent and willing to do all that was required of him. James M. Colman had

JAMES M. COLMAN.

Born in Dumfermline, Scotland, June 17, 1832; came to Puget Sound in 1861; was the master machinist in building several of the great sawmills of the Sound, and invented some of the most valuable parts of their machinery. He was the leading spirit in building the railroad out of Seattle to the coal mines in 1875.

James M. Colman

1. The first part of the document is a letter from the author to the reader, explaining the purpose of the work and the scope of the investigation. It also includes a list of the names of the people who have helped the author in the course of his work.



J M Colman

come to the Sound in 1861. He was a millwright by trade, and soon after his arrival became manager of the Meigs mill at Fort Madison. He afterwards purchased the Renton & Howard mill at Port Orchard, in company with some other people, but after rebuilding and greatly improving it, it was destroyed by fire and was a complete loss. He then superintended the building of the Hanson & Ackerson mill at Tacoma, and when this was completed he went to Seattle, where in company with others he leased Yesler's mill. His management here was so successful that in time he bought out his partners, and in 1875 was in sole control of its business. When asked to take charge of the railroad and grapple with the difficulties that then so thickly beset it, his time was already fully occupied. But he resolved to undertake the task. There was at the time a gap of two and a half miles across the tide flats over which an expensive trestle must be built, and beyond that fully half a mile of heavy grading to connect with the nine or ten miles of grade which had been built, though imperfectly, by the labor of the citizens and was now more or less washed down and otherwise damaged by the rains of two winters. But if these twelve or fifteen miles could be completed, and some extensions made to the coal mines beyond, the road would have sufficient business to make it profitable.

Mr. Colman, at the outset, proposed that he would himself furnish \$10,000, if five other men would each advance an equal amount, and if the citizens of the town would loan the company \$30,000 on security of \$60,000 worth of stock. But this proposition was not accepted, and Mr. Colman offered to advance \$20,000, if all the others would advance \$40,000. This was accepted, and the work of construction proceeded. The long trestle was built; the grade beyond it

repaired and completed, and in March 1877 the road was delivering coal at the bunkers which had been built at deep water. It then had one 21-ton locomotive, with ten 8-ton coal cars, and ten more nearly finished, with ten flat cars and one combination passenger, baggage and mail car. It also had one 8-ton locomotive in use on the upper part of the road. Mr. Philip Ritz was able to say, as he did about that time, "if James M. Colman lives, he will build this road over the mountains, unless some capitalist comes forward and takes it off his hands in order to build it faster."

The people of Olympia had not been idle during these years. In October 1873, Thurston County had voted bonds to help complete the branch from the harbor to Tenino, but it had not been possible to place them, and like the people of Seattle, those of Olympia found that they must rely upon themselves, if they would have a railroad connection with the outside world. Since no bonds could be sold, or, money obtained from any other source, they resolved to build it by main force. It had been surveyed, grade stakes set, and everything was ready for work to begin. Accordingly, on April 7th, the people turned out, as those of Seattle were about to do, and began work on the grade. At an early hour in the morning, headed by the Olympia Light Guard Band, the first organization of the kind in the territory, the procession was formed in the public square and marched to Tumwater. At the bridge they were joined by a crowd from that suburb, and the whole party was conveyed in boats to Warren's Point, where the men were assigned to work by the engineer. An advanced guard felled trees, sawed logs and uprooted stumps, while another party with picks and shovels threw up the dirt for the grade. At noon, the ladies had lunch ready, and as at Seattle, some speeches were made,

after which a full afternoon's work was added to what had been done during the morning. Three hundred men and seventy-five ladies were on the ground during this first day, and fully a mile of the right of way was cleared, a considerable part of which was also graded.

As in Seattle, this work was continued one day in the week for a considerable time, but finally began to languish. However, a considerable stretch of grade was thrown up during that year and the two years following, and in 1878, the iron and a locomotive were purchased in San Francisco, with the bonds which the county had voted, and cars were built at Tumwater. The road was completed during July, and on August 1st, a free excursion to Tenino was given, in which nearly everybody in the town took a ride over the line which now gave them railroad connection with the outside world, and in which everyone of them had a personal interest, having contributed something, either in labor or money, or both, to its construction.

There was one other part of the territory where railroad building had begun earlier and was going on at this time. When the mines in Idaho no longer furnished a market for the surplus products of the Walla Walla country, the farmers and stockgrowers of that thriving region were forced to seek an outlet by way of the river, to Portland. But it was thirty miles or more from Walla Walla to the old Hudson's Bay fort, the nearest steamboat landing, now called Wallula, and the road lay all the way through volcanic ash, into which the wheels of wagons sank deeply, while in places the alkali dust was suffocating for both horses and drivers. It cost \$5, \$10, \$12 and sometimes \$13 per ton to have wheat and other products hauled over this road to the river, depending on the quantity awaiting shipment, and sometimes the team

owners charged extra for waiting to unload at the landing. Then the charge was \$6 per ton for the trip down the river. From Wallula to Portland the freight had to be transferred from the steamboat to a portage railway at Celilo, by which it went fourteen miles around Celilo Rapids to the Dalles; there it was again transferred to boat by which it went to the upper Cascades, where it was again transferred to a tramway, over which it went six miles to the lower landing, where it was taken on board another boat by which it went forty miles down the Columbia and ten up the Willamette to its destination.

To save some part of this excessive cost of transportation, particularly between Walla Walla and Wallula, the people had long hoped for a railroad. They had procured a charter for one in 1862, but the charter had not built the road, neither had any capitalist or road builder appeared, who would do so. While collectively they might have built a road that would have served their purpose, if they could have agreed upon a plan, and set to work with proper resolutions, they were without a leader, and did nothing.

But finally the required leader appeared, and he was found among their own number. Dr. Dorsey S. Baker had been one among the earliest to reach the town and remain in it when the gold hunters were hurrying through it to Idaho. He had come to Oregon in 1848 from Illinois, where he was born, and where he had practised medicine for a time, and had reached the Willamette only a short time before the gold discoveries in California. In 1861, in company with his brother-in-law, John F. Boyer, he had taken a small stock of merchandise and some cattle to Walla Walla, the outfitting point, for the newly discovered mines at Orofino and Florence, and from that time forth devoted himself to general business.

The firm prospered, and by the time the demand for a railroad began to be felt, the doctor had become a leading man in the community, and one of the richest. He had been named with thirty-two others among the incorporators of the Walla Walla Railroad, in its charter, but like the others did nothing about the actual building of the road until 1871.

Then he went at the work in earnest. A company was organized, but its stockholders and officers seem to have realized that all that was to be done the doctor must do, and they would interfere with him as little as possible. This was probably quite to his liking, for he was one of those self-reliant men who rarely require advice from others. As Napoleon refused to take the sword of Frederick the Great, when he might have done so because he had his own, Dr. Baker cared little for the opinions of others once his own had been formed. He accordingly went at the work in his own way, and so completely did he have it from first to last, that the road was spoken of at the time, and has always been known since as Dr. Baker's railroad. He was its fiscal agent, and furnished or procured most of the capital required; he was its general manager, superintendent and board of directors—in everything at least but in name. During his ownership the road was never mortgaged.

He did not undertake to build a finished railroad at the beginning. He knew, or thought he knew, that such a task was beyond his ability or that of the community. A tramway would be sufficient if it could be constructed and operated, and the country was developing so rapidly that it seemed probable that a tramway might, under proper management, grow into such a road as everybody hoped for. He accordingly set out to build a road with wooden rails, beginning at Wallula and extending gradually up the valley,

as means could be provided. He selected a landing place on the Columbia about a mile above the town, built a steam sawmill there, and sent men into the forest on the Grande Ronde to cut logs and raft them down the Snake River. He also had timber cut on the headwaters of the Yakima, and sent down to the Columbia in a similar way.

He went personally into the field and assisted the engineers in locating the line. He superintended the grading, and, in time, directed the preparation of the fir stringers which were to be used as rails, and noted with care and doubtless with anxiety the results of this primitive method of railroad building, as they appeared.

As the line gradually stretched away up the river toward Walla Walla, his wooden rails were subjected to a severe test in transporting nothing but materials for construction, and he observed with some disappointment, as it may well be presumed, that they were not enduring the wear as he had hoped they would. He then began to protect them with strap iron, particularly at the curves where the grinding of the wheels damaged them most rapidly, and found, as earlier railroad builders than he had found, that the experiment was only fairly successful. The straps turned up at the ends under the pressure of the wheels, and occasionally a rail gave way, or a bridge that was not too substantially built, failed under the pressure of his train, so that interruptions of traffic after it was begun, were frequent and annoying.

The people watched the doctor's experiments with interest though they did not always give him the encouragement he was entitled to expect, and had reason to hope for. They even laughed at his embarrassments, and predicted disaster for the future, and when the road was so far completed that

DR. DORSEY S. BAKER.

One of the early merchants of Walla Walla; founded the first bank in that place, which is now the Baker-Boyer National, and finally built the railroad to Wallula.



It would be impossible to keep a hunting place
of *Peromyscus* in a mile above the canyon, as it is
very difficult to find, only the *Peromyscus* Grande
Bande is cut logs and raft down the *Peromyscus*
the *Peromyscus* and the *Peromyscus* of the *Peromyscus*
and *Peromyscus* in the Columbia in a similar way.

He went personally into the field and trained the men in laying the line. He superintended the grading and in time directed the preparation of the fir stringers which were to be used as rails, and noted with care and doubtless with anxiety the results of this primitive method of railroad building in this country.



it had begun to be serviceable, they would sometimes say, if an accident occurred and the train failed to reach its destination on time, that the coyotes had eaten out a section of the doctor's track. This slur gave the enterprise its designation as the "rawhide" road, the explanation of the joke being that the doctor was coating his rails with rawhide to protect them, and that the coyotes were eating it off, when the track was not carefully watched.

But the doctor paid but little attention to these pleasant-ries, and continued to push his work with vigor and courage. The first ten miles of track was constructed entirely with fir rails, cut at his own mill. Over this a little 8-ton engine hauled all the material for the construction as it was needed, and such other freight as was offered. The next year a few other miles were added, and all the wooden stringers were provided with strap iron. During the third year the rails reached Whitman's old mission near Waiilatpu. By this time the doctor had been convinced that wooden rails would not serve, and he accordingly arranged in Portland for a shipment from Wales, of enough rails, weighing 26 pounds to the yard, for the whole line so far as finished. The freight on these rails from Portland to Wallula was \$15 a ton.

Furnished with iron rails, the road began to have the appearance and to render the service of a real railroad. The people of Walla Walla were more than ever anxious to have it extended to the city. But the doctor now thought it was time for them to do something themselves, if they wished a thing of so much advantage to them, and he informed them that he would complete the line to their town and his own for \$25,000. This they furnished, and Walla Walla was for the first time supplied with direct rail connection with the river.

The city is about 600 feet higher than the bank of the river at Wallula. For the first twelve miles, the grade was so heavy that a train going west would make the entire distance by gravity. In the other 18 or 19 miles, there were one or two rather heavy grades, requiring a good deal of power to get the trains over them.

For a long time after the road was built, freight was carried only on flat cars. Passengers were carried in something but little better. A sort of low house with a curved roof and small windows was built on a flat car, and furnished with a plain board seat that ran all the way round it except across the doorways, and this was the only passenger coach. People irreverently called it the "hearse." But many eminent people rode in it in its time. General Sherman, when he was at the head of the army was one of these. He came up the Yellowstone and over the mountains to Walla Walla, accompanied by his staff, on a tour of inspection of the various army posts, and thought he would have a special train to take him over this very unpretentious road to Wallula, but Dr. Baker thought differently. Tradition says he told the general that if he went at all he would go on a freight car, and sit astride a wheat sack at that, but tradition is sometimes at fault in matters of this kind. The truth is he went in the "hearse" as other people did, and was quite satisfied to do so.

The immediate effect of the completion of this primitive railroad was to reduce the cost of transporting the produce of the Walla Walla farms from the town to the river landing to \$5 per ton. Five dollars per ton was the rate for wheat, for merchandise, for lumber or for cordwood. There were no classifications as at the present day. A ton was a ton whether of feathers or hardware, and whether going west or east. Five dollars was also the rate for each passenger,

so the books of the company were easily kept. The road became very profitable, was eventually sold at a good price, and became a part of the Oregon Railway & Navigation Company system.

It was the first railroad built in Washington, if the portage road, from the upper to the lower Cascade, built by the Oregon Steam Navigation Company, is left out of consideration.

Dr. Baker also established the first bank in Washington—first as a private bank in 1869, now the Baker-Boyer National. He was a strong character with a marked genius for finance.

During the years of depression following the panic of 1873, the Northern Pacific Railroad made but little progress, particularly in Washington. For a part of the time at least the roads the people were themselves building with such slender means, advanced as rapidly and seemed perhaps to have as much prospect of becoming great lines, as that backed by the favor of the national government. But in 1875, coal was discovered on the upper branches of the Puyallup River, less than thirty miles east of Tacoma, which upon investigation proved to be of such quality as to make development of the mines desirable. The road needed coal for its engines, and people along the line and in Oregon needed it. There was every reason why the road should make a supreme effort to get the mines developed, and their product made available for use. They were within the limits of its land grant; if its rails could be extended to them it would do much to dispel the impression, so diligently cultivated by its opponents, that its northern branch from the Columbia across the range to the Sound would never be built. It might perhaps be the means of saving the whole of the land grant that would be acquired by building that line.

But the road had neither the money nor credit with which to build it. It had been saved from absolute bankruptcy, during the panic years only by the most heroic efforts, and by great personal sacrifices on the part of its bondholders, who had surrendered their bonds and accepted preferred stock in place of them, in order that the property might be remortgaged for new bonds. But the new bonds had no market and the fragments of road already completed in Minnesota, Dakota and Washington were but little more than paying the cost of operation under the most economic management possible.

By this time Charles B. Wright of Philadelphia had become president of the company. He was also president of the Tacoma Land Company, and its largest stockholder. The town had not prospered as he and others interested had hoped. The panic years had had the same depressing effect on it as on everything else. While most of the people who had been waiting for the terminus to be fixed, before choosing the town in which they would make their homes and their investments, had gone to it about the time the railroad reached it, some of those had already left it. There had been considerable delay in getting it platted and ready for market. A large part of the townsite had been cleared promptly, surveyors had been put to work, and Frederick Law Olmstead, the famous landscape architect of New York, had been employed to make a plat, that it was expected would make it a most attractive city. In due time the plat was furnished, but it was so unlike the plats which people are accustomed to, that it was not accepted and Tacoma thus narrowly escaped being a far more beautiful city than it is. No attempt had been made to have the streets follow any general direction, or to make lots of any particular size.

The contour of the ground had determined everything. The streets curved along the sides of the hills, which they ascended at easy grades. Lots and blocks were all irregular in size and shape, and in the residence section particularly, they were so arranged as to command the utmost variety of views. Those in authority at the time seemed to think this too much of an innovation on the generally accepted ideas of city platting and city planning, and this plat was put aside. Another plat was then necessary, and much time was required to make it, during which some of those who came to the new town, intending to remain in it, went elsewhere. However, the company pursued a liberal policy toward those who remained, permitting them to select locations which it subsequently allowed them to acquire, and by giving lots outright to schools, churches and charitable institutions, in some degree counteracted the evil effects of the long delay in getting its property ready for market.

During 1875 and 1876, the eastern part of the Northern Pacific so far as constructed, earned a little more than its operating expenses and a small surplus was accumulated. This and the money received from sales of stock in the Tacoma Land Company it was determined to use to build the line from the terminus to the coal mines, and it was so used. President Wright also bought a cargo of rails with his own individual funds or credit, and sent them to the coast by way of Cape Horn. When they arrived the grade was so far completed, that track laying began and the road was finished and in operation to Wilkeson in 1877. Other mines were soon after opened at Carbonado, and in time at other nearby points, and the new road did much to relieve the whole western part of the territory

from the incubus of the depression which had so long afflicted it.

During these tedious years the road from Tacoma to Kalama had done but little business. One train a day each way had served for both freight and passengers. The people who had hoped so much from it when its building began, were much disappointed. Many who were not actually on the line, particularly those at Olympia and Seattle complained loudly that it discriminated against them, and with some reason. Those in Olympia were dissatisfied with the share of the joint freight rates awarded to the branch line they had built. Those in Seattle and other Sound towns, who wished to go to Portland were compelled to remain over night in Tacoma both going and coming. As the railroad still controlled the boats of the Oregon Steam Navigation Company on the Sound, and regulated their running time, it was clear to everybody that they were thus inconvenienced solely that their towns might be placed at as great a disadvantage as possible. They made such protest against this treatment as they could, and they did some things that were effective. They had elected Orange Jacobs to Congress in 1874, as one means of helping the Seattle and Walla Walla railroad, and he was urging upon the attention of Congress a series of memorials which the legislature had adopted, praying that a large part of the lands which had been withdrawn from sale or entry, in the interest of the Company, should be reopened to settlement, and that better means should be provided to enable settlers on the even numbered sections within the grant, to perfect their titles. John J. McGilvra had been sent to Washington by the settlers to assist him, and together they were making an aggressive fight in the departments, before committees

and wherever effective work could be done, in support of the memorials. They made it appear, as was the case, that the various acts and orders in the interest of the company, were delaying the settlement of the whole western part of the territory, and so injuring the settlers whom Congress and the administration ought for every reason to protect and defend. Senator Mitchell of Oregon was also urging Congress to aid a road that would give Portland connection with the Union Pacific, and this was antagonistic to the Northern's interest.

Beset by these and other difficulties, as well as by its financial troubles and embarrassments, the road could make but little progress. Partaking of its disadvantages, as well as of those of the times, its terminal town on the Sound grew but slowly. At the end of its first ten years of existence, it was still hardly a thriving village. But a brighter day for it, for the railroad, and for the territory was about to dawn.

MOUNT TACOMA OR MOUNT RAINIER.

For a dozen years or more after Tacoma was named and took its place on the map, nobody disputed the origin or meaning of the name—perhaps for the reason that nobody asserted it very positively, or upon any other authority than Winthrop's, or inquired further about it. In announcing that the town on Commencement Bay had been named, the *Seattle Intelligencer*, on November 23, 1868, said the name was "Tacoma after the Indian name of Mount Rainier." But nobody in those days, or for years later, spoke of the mountain by that name. The settlers always called it Rainier. It was so called in all official reports and documents. Wilkes several times

mentions it by that name. Stevens had described the Yakima Indian Reservation as "commencing at Mount Rainier; running thence northerly along the ridge of the Cascade Mountains," etc. Even the Tacoma Land Company, in its printed matter, advertising the town, had as late as 1878, put forth a picture of it inscribed, "New Tacoma, with a view of Mount Rainier,"* and the Tacoma newspapers, as late as February 1883, were calling the mountain by the name that everybody else used.

It was not until 1883 that any division of sentiment about the matter began to appear. In March of that year the Northwest Magazine, then published in New York under the patronage of the Northern Pacific Railroad, announced that "The Indian name Tacoma will hereafter be used in the guide books and other publications of the Northern Pacific Railroad, and the Oregon Railway and Navigation Company, instead of Rainier, which the English Captain Vancouver gave to this magnificent peak, when he explored the waters of Puget Sound in the last century." Then the people of the territory began to be really interested in the matter. The Tacoma Ledger quoted the above announcement in a brief editorial, when the magazine reached the coast some weeks later, and added that "The name Rainier never had any appropriateness, for it was adopted as a compliment to an English admiral, who never saw the mountain. If the newspapers in Oregon and Washington will join in the effort to restore the musical and significant Indian title, the change can be fully accomplished in a few years."

However this suggestion might have been regarded under other circumstances, it was not approved by the newspapers referred to. Those of Seattle received it with derision, and

*See opposite page.

TACOMA IN 1878.

Reproduced from an engraving published by the
Tacoma Land Company, in the year named.



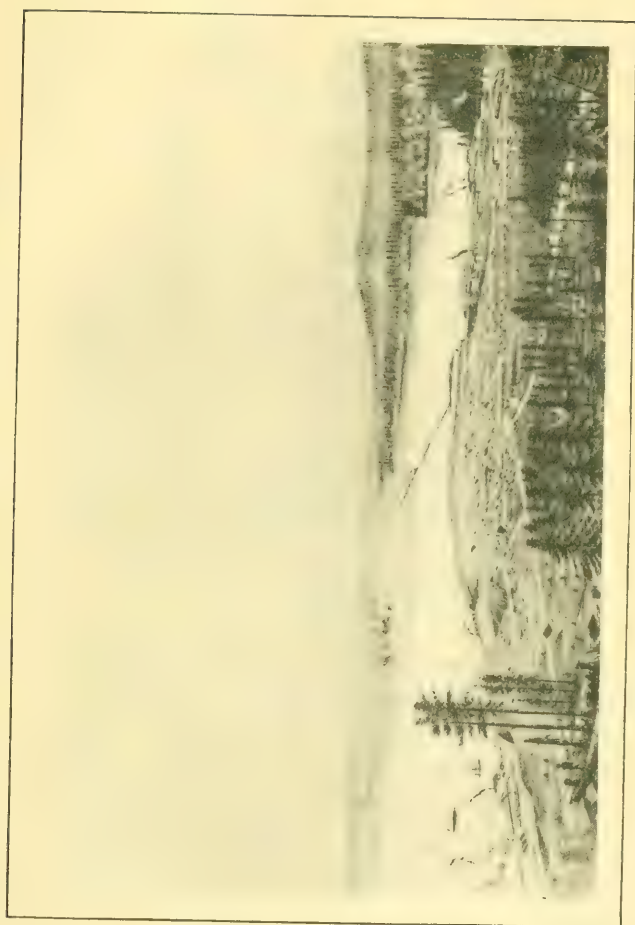
THE RISE AND PROGRESS

The *Tacoma Tribune*, a newspaper which the Tacoma Indians had established at the foot of Mount Rainier, running thence northerly along the edge of the Puget Mountains," knew of the Tacoma Land Company, in its printed matter, advertising the mountain as "the great peak of Mount Rainier,"* and the *Tacoma Tribune*, in its issue of February 1883, were calling the mountain by the name which nobody else used.

It was not until 1884 that any division of sentiment about the name of the mountain appeared. In March of that year the *Tacoma Tribune*, then published in New York under the name of the Northern Pacific Railroad, announced that "The name of the mountain will hereafter be used in the publications of the Northern Pacific Railroad, the Northern Railway and Navigation Company, and the Northern Railway, which the English Captain Vancouver gave to the mountain at peak, when he explored the coast of Puget Sound in the last century." "This name," said the *Tacoma Tribune*, "will be really introduced in the future." The *Tacoma Tribune* quoted the above announcement in its issue of editorial. When the magazine reached the *Tacoma Tribune* six weeks later, and added that "The name Rainier is not a proper name, for it was adopted as a complimentary to Captain Vancouver, who never saw the mountain. If the States of Oregon and Washington will join in the effort to restore the musical and significant Indian title, the change can be easily accomplished in a few years."

However, the suggestion might have been regarded under other circumstances. It is not approved by the newspapers of the Pacific Northwest. The *Tacoma Tribune* received it with derision, and

*The *Tacoma Tribune*, 1883.



most of the others in the territory outside of Tacoma, with more or less vigorous disapproval. One paper in Olympia, the *Courier*, in a single brief editorial, spoke of it condescendingly, but speedily changed its opinion and ever afterwards denounced the attempted change as vigorously as any of its contemporaries. Evidently its subscribers had protested. The policy of the Northern Pacific in everything since its western terminus had been fixed upon, had made it as unpopular as it well could be. The suggestion had come from one of its publications; those in the town it had started and helped to build up to be a rival of all other towns on the Sound approved it. Under these circumstances it is hardly surprising that both the newspapers and the people in other towns should regard it with disfavor, and as time went by and towns were ruined, as in the case of Old Yakima, by the refusal of the company to stop its trains in their neighborhood, or by building up new towns in their vicinity, and questions of rates arose as at Spokane, it became more and more unpopular.

The newspapers and people of Oregon joined this opposition. The attempt to change the ancient name of the majestic mountain was declared to be nothing less than sacrilege. It was simply a scheme of a lot of real estate boomers and speculators to turn a great world land mark into an advertisement—to reduce sublimity itself to the level of a sign-board. The name Tacoma was nothing but the invention of a dreamer—a brilliant dreamer doubtless, but a dreamer nevertheless. It had never been the Indian name of the mountain. The Indians had no names for mountains, or rivers or other land marks distinguishing one from another. To them a mountain was a mountain, and a river a river, and that was all there was of it. A primrose by a river's

brim, a yellow primrose was to them, and nothing more.

The newspapers of Tacoma,—of which there were two—and the people of the town, stood sturdily for the change, and made such a fight for it as they were able. The two papers were issued only weekly as yet, but in time as the town grew and prospered, and daily editions appeared, the battle raged hotly. The Indians were appealed to for evidence by both sides, and, after their custom, generally furnished something that was satisfactory to both. Edward Huggins, last of the Hudson's Bay factors, who had lived for thirty years among them, declared he had never heard them speak of the mountain by any other name than "le monte," which was the Chinook name for it. But Mrs. Huggins, who was a daughter of John Work, and had been born on the coast, had been told by Old Schlousin, or Schlouskin, that the mountain's Indian name was Tachkomah, "but he couldn't give any further information as to why it was so named, other than that anything, or everything in the shape of a mountain, or large mound covered with snow, was named Tach-komah, or Tacobah."* They also pronounced it Tahoma or Tacobet according to their several peculiarities of dialect.

The advocates of the Indian name also attacked the name Rainier in their turn. They insisted that it was not the name Vancouver had given the mountain, because he spelled it Regnier; that Regnier or Rainier was a person of no consequence anyway; that he never had seen the mountain, and that he was a foreigner whose name ought not to be perpetuated by one of the grandest monuments on the American continent. The battle thus waged in time attracted the

*Edward Huggins, Mss.

attention of the whole country. The board on geographic names at Washington was appealed to in due course, and its decision was thought to be of so much importance that committees were sent from the coast to argue the matter. It decided in favor of Rainier, but the contention did not end there, and it still continues more or less fitfully, but none the less interestingly.

In all this controversy, the best evidence in existence to support Winthrop's representation as to the name, has never been cited. George Gibbs, who was associated with General Stevens in his railroad survey, and during the time he was treating with the Indians, and afterwards served with the boundary commission, during all of which time he gave much attention to the study of the Indian languages, prepared for the Smithsonian Institution vocabularies of twenty-one of these languages, which were published by that institution in 1877* four years after Gibbs' death. Among the vocabularies is one of the "Nisqually" language in which the word *Ta-kob* appears, with the definition "the name of Mount Rainier." In the vocabulary of the *Winatsha* (*Wenatchee*) language, the word *T'koma* is given, which is defined as "Snow peak." From this it appears that the word, or something like it, appears in the Indian languages on both sides of the mountains, but nearest in the form in which it is now used in that of the eastern side. We may infer from this that Winthrop got the word from his Indian guide, "Loolow-can the frowsy, son of Owhi the horse thief," who escorted him from Fort Nisqually across the range. He does not say he learned the Indian name when he first saw the mountain, although we naturally infer that he did, or soon

* Contributions to North American Ethnology, Vol. I. Government Printing Office, 1877.

after. But the Clallams, to which tribe the Duke of York and others who paddled him up the Sound from Port Townsend, belonged, do not have the word in their language, and he could not therefore, get it from them. Neither was he likely to get it at Fort Nisqually, where, as Huggins says, it was never heard. It seems certain therefore, that he got it from his guide, and probably at the time he stopped on the trail to get the grand view of the mountain which he describes so rapturously at this point on his journey. The guide was doubtless the son of a Wenatchee mother, as a chief of Owhi's importance would have wives from several neighboring tribes, and it was from her he obtained it.

It is frequently asserted that the word means nourishing breast, in allusion to the numerous rivers that have their beginnings in the glaciers of the mountain, and flow from it through the fertile valleys of the western part of the state, but this is purely the fancy of white people. The Indians of the coast have no such poetic ideas. To them Tacoma, T'koma, Tahoma, Tacoba or Tacobet, or however they may pronounce it in their several dialects, is simply a snow or ice covered peak; it means that and that only.

The word *ko* as Gibbs spells it, in the Nisqually language, means water. T'Kope in the Chinook jargon is snow, or anything white. Sir George Simpson, in his report to the directors of the Hudson's Bay Company of his trip to the coast in 1841, only recently published,* mentions a river Tacom in Alaska near Fort Simpson. It probably has some allusion to snow or ice. *Ko* is the root of the word and it is more or less common to all the languages of the Salish tribes.

*American Historical Review, October 1908.

CHAPTER LV.
CIVIL AFFAIRS.

ELISHA P. FERRY became governor of the territory in April 1872. He was the greatest of all the territorial governors, Stevens alone excepted, and held office longest, serving through two full terms of four years each.

He was a native of Michigan, and studied law there and in Fort Wayne, Ind., being admitted to the bar in 1845, at the age of twenty. Then he went to Waukegan, Ill., a small city on the shore of Lake Michigan, a short distance north of Chicago, where he resided until 1869. He was the first mayor of the town, twice presidential elector, a member of the constitutional convention of 1861, and afterwards bank commissioner. When the civil war began he served for a time as assistant adjutant general, and helped materially in organizing and equipping many of the earlier Illinois regiments, and getting them ready for the field. While engaged in this service he made the acquaintance of Captain Ulysses S. Grant, who was appointed colonel of the 21st Regiment while assisting in the work of the adjutant general's office, and when the colonel afterwards became general and finally president, he gave Ferry all his appointments. He was first made surveyor general, and with that appointment he came to the territory in 1869, serving in that office until appointed governor.

Governor Ferry possessed all the acquirements, as well as the natural qualities that go to make a good executive. He was a good lawyer, and a good business man, prudent, tactful, painstaking in thinking as well as in action, and possessed rare good judgment and great firmness of character. But two events occurred during his eight years in the executive office that called for the exercise of these qualities in any conspicuous or unusual way. When his first term began

the country was generally prosperous. Development was progressing slowly, but it seemed probable that it would soon advance more rapidly, and the settlers were hopeful. Railroad building, long hoped for had begun, and the line from the Columbia to the Sound was nearing completion. There was no apparent reason why it should not continue until the Sound was connected with the older settled regions of the East. But in 1873 work was suspended and the whole country suffered a period of financial depression, the effects of which were wide spread and more or less disastrous. The people in Washington suffered less than those in most other parts of the country, but the advancement they had looked for and hoped for was postponed. New settlers arrived but slowly, and it was not until Governor Ferry had entered upon his second term that business returned to something like normal conditions, and prosperity began to smile once more upon the territory.

He had been scarcely more than half a year in the executive office when news was received that the San Juan boundary question had been settled by the arbitrator to whom it had been referred, and within a month after the news arrived, and as soon as possible after it had been officially communicated to the authorities at Victoria, the British marines who had been stationed on the island since the time of General Scott's visit, were withdrawn. On leaving they cut down the flag pole from which their colors had been displayed for more than a dozen years, and each member of the company, or most of them carried away a piece of it as a souvenir. This led to some unfavorable comment among the American settlers, who fancied that the pole had been destroyed solely in order that the stars and stripes might never be floated from it. In time the newspapers of the territory encouraged the

ill feeling thus started, and added to it by remarks that were none too well founded.

Soon after receiving official notice that the boundary question had been decided, Governor Ferry, on December 23d, visited the island, for the purpose of reëstablishing the civil authority, in place of the divided military authority which had so long controlled there. He learned from the deputy inspector of customs stationed on the island, that some of the British residents were alarmed, fearing that their claims on which most of them had made valuable improvements, would be taken from them. The governor did what he could to reassure these people, informing them that all who had taken their claims previous to 1846, if there were any such, were fully protected by the treaty, and that the others would, under the law, be required to become American citizens, or their claims might be contested by those who were citizens. This most of them already understood, and had sent a request to the clerk of the district court that he would visit the island and receive their declarations. But some of them taking counsel from their fears, or perhaps becoming alarmed at the comments made by individuals and the newspapers on the flag pole incident, appealed to the authorities at Victoria, reporting that "Governor Ferry had decided the British subjects must take the oath of allegiance or loose their claims." These complaints were referred to the British minister in Washington, and by him laid before our secretary of state, who called upon the governor by telegraph, to explain. This he did in a letter of January 25, 1873, stating exactly what he had communicated unofficially to these anxious claim holders, and added that he had subsequently remembered that a question might arise between the Northern Pacific Railroad Company and some of them—

as a portion of the island was within the limits which had been withdrawn from settlement by order of the secretary of the Interior—until the boundary of the land grant had been determined. As this order had been made in October, while the rights of the claimants could only attach at the time their declarations were made, he had written to the inspector of customs on the island, suggesting that he give this information to all who might be interested, in order that they might take such steps as seemed advisable, to protect themselves.

This action of the governor resulted in a revocation of the order withdrawing the lands, in which some of these claimants were interested, from entry or sale, and the adjustment of all just claims on the part of those who were willing to comply with the law, to their satisfaction.

Governor Ferry found the financial affairs of the territory in some confusion on taking charge, and he immediately applied himself to their correction. The laws for the assessment and collection of taxes were still crude and imperfect. Several of the counties were negligent in the matter of paying over the share of taxes due the territory. Some had been delinquent for several years, and the aggregate amount due from these was nearly \$13,000. By this delinquency the counties not in default were compelled to pay some part of the interest accruing on warrants issued in anticipation of this delinquent balance, which was wrong and unjust, and the governor urged the legislature to give the matter attention at once, so that the injustice might be corrected, and all the counties compelled to contribute equitably to the support of the territorial government.

But the legislature did not immediately give it the attention it deserved, and the governor was compelled to refer to

it in several subsequent messages. In 1879 these delinquent taxes amounted to \$69,509.79, and the governor in his last message insisted that legislation that would enforce payment was imperatively necessary, and it was as a result of this insistence that the trouble was finally removed. Four years later Governor Newell reported that the amount due from delinquent counties was less than \$7,000.

Up to this time there had been no arrangement for equalizing assessments as between the several counties, and the governor called attention to this matter, but it was not until he had reminded the legislature a second time that a board of equalization was finally provided for. The law provided that property should be assessed at its full value, but while some counties obeyed it in a reasonable way, others made their assessments much lower, and so avoided payment of their just proportion of the territorial revenue. The assessments themselves showed how these last mentioned counties were evading their just share of the territorial burdens. That for 1875 showed a decrease of \$896,335 in the value of property in fourteen counties, as compared with the assessment of 1873. In eight counties the assessment for 1875 showed an increase of \$1,283,739. It was apparent that property was not decreasing in value in the proportion represented in some counties, or else that it was not increasing at the rate shown by the assessment in others. Grave injustice was therefore being done somewhere, and the only means of correcting it was through a board of equalizers.

The governor also pressed upon the attention of the legislature, the desirability of creating a board of immigration. The manifest want of the territory was population, and one of the best instrumentalities for securing it would be found in such a board, which should be especially charged to make

known throughout the eastern states and Europe, the exhaustless resources of the territory, and to procure, so far as possible, cheap transportation for all who would come to it. Such a board, if provided only with very moderate means, would do much to make known to the world at large the abundant resources of our soil, the wealth of our forests, our limitless deposits of coal, the advantages of our commerce, and the attractiveness of our climate.

At that time the belief prevailed very generally throughout the eastern states, that the territory, particularly its western part, was not adapted to agriculture, and that it was far behind the other territories in agricultural development and production. This belief, a board of immigration could do very much to remove, as facts to prove the contrary were abundant. There were in 1873 more than 192,000 acres of improved farm land in the territory, as shown by the census of 1870. This was more than any other of the nine territories had shown, and when it was remembered that New Mexico had almost four times the number of inhabitants of Washington, that Utah had more than three times, and Colorado nearly twice as many, while Washington was the smallest in area of them all, its advanced position from an agricultural point of view, became strikingly apparent.

The importance of this recommendation, like others, did not immediately impress itself upon the legislature, and it was not until 1877 that a board was provided for. Even then only \$150 was appropriated to carry on its work, and with this small sum of course very little could be done. The work however, was started, and in time was conducted in a fairly efficient way.

Owing to the depressed conditions which everywhere prevailed, settlement of the territory proceeded very slowly.

During 1871-2 a total of only 3,385 entries were made at the three land offices, in Olympia, Vancouver, and Walla Walla. The entries for the two succeeding years at the Vancouver offices were not reported, but at the other two there were only 548. But as the prevailing depression passed away, and business gradually returned to a normal condition, immigration revived, and from 1875 to 1879 the number of new settlers arriving each year was considerably increased, and in his last message, Governor Ferry was able to congratulate the legislature upon the fairly prosperous condition of the territory.

The legislature which convened in 1873, the first under Governor Ferry's administration, passed the first railroad law enacted in the territory. It provided generally that rates should be reasonable, and that one patron should not be charged more than another for a similar service rendered. An act to encourage the construction of railroads was also passed, which provided that only so much of any line under construction should be taxed as was operated, and that no road should be taxed until at least fifteen miles was completed and in operation. This act was evidently intended to be helpful to the enterprises in which the people of Olympia, Seattle and Walla Walla were then preparing to engage.

This legislature also passed a law to encourage irrigation in Yakima County. It provided a method by which rights of way for irrigating ditches should be acquired, and rights to water secured, as well as for the settlement of all controversies that might arise in regard to either matter. By the time the next legislature met the farmers had become very much interested in the organization of granges, and it passed an act providing for their incorporation. It authorized the corporate bodies to engage in almost every business as well

as farming, and indicated that the farmers of that day were entertaining the hope that they might in time control everything that was not then conducted to their satisfaction. By this legislature the city of Tacoma was incorporated, on November 12, 1875. It also passed a general dyking law, and a curious act providing that any person who wished to do so, might sell his property by lot, provided he would pay ten per cent. of the sum received into the road fund, to be used to aid in building a road through the Snoqualmie Pass.

In his message to the legislature in October 1877, Governor Ferry urged a revision of the revenue law. Under the system then in use no money reached the treasury for any year until after it had expired. Sometimes it did not come in for eighteen months or more after the assessment was made. This made it necessary for the state to pay out a considerable sum for interest, sometimes at the rate of ten per cent., all of which might be saved by a change in the law which would bring the territory to a cash basis. He also advised that a memorial should be prepared, urging Congress to make an appropriation to remove obstructions from the navigable rivers of the territory. In many places these seriously interfered with navigation. They were to some extent being removed by private enterprise. But this was a burden that individuals should not bear, and as the general government would sometime aid the work, as it was aiding it elsewhere, it should be urged to begin it at the earliest moment possible.

The railroad question was now commanding universal attention, and there was great diversity of opinion, particularly in regard to extending the time within which the Northern Pacific should complete its main line to the Sound, or loose its land grant. Opposition to extension at this time

had been strengthened by the course the company was pursuing, in regard to the sale of lands which it had already acquired. By the conditions of its grant the minimum price of these lands had been fixed at \$2.50 per acre, and many held that it should not charge more than this, as otherwise settlement would be retarded. But the company was demanding much higher prices in many cases, and it was therefore held to be delaying settlement rather than encouraging it. The governor urged that the time limit should be reasonably extended, but not without conditions. The company should be required to make a beginning on its construction work, and to complete a minimum portion of its tracks each year. This he thought would be a fair requirement, and by adopting it the company would be encouraged to begin and complete the construction of its Cascade Division, a matter which he considered of the utmost importance, since it would in a measure help to defeat the effort then making to make Portland the general western terminus of the road.

The legislature of 1875 passed an act to aid the construction of the Seattle and Walla Walla, now called the Seattle and Colfax Railroad. It provided that King County might assist the undertaking to the extent of \$100,000, Walla Walla County \$100,000, Yakima \$50,000, Columbia \$75,000, Whitman \$80,000, Kitsap \$10,000, Stevens, which then included Spokane and all the north eastern part of the territory of the present day, \$20,000, Klikitat \$10,000. It also passed an act to prevent and punish gambling, another to encourage the cultivation of oysters, and still another to regulate fishing.

In his last message in 1879, the governor complained that the enactment of important laws was so generally deferred till the closing hours of the legislative session that it was

difficult, if not impossible, for the governor to fairly consider them before determining whether or not to give them his approval. The preceding legislature had enacted ninety-six laws during the last twelve hours of its session. The law allowed the governor five days after the adjournment, within which he must determine whether or not he should give or withhold his approval of all these acts. It was not possible to have these bills properly engrossed, and many of them came to him full of erasures and interlineations, the exact effect and meaning of which it was sometimes very difficult to determine. One of two courses was open to him under such circumstances—one was to withhold his approval, and the other to approve without a proper understanding, neither of which was very desirable. He had generally followed the latter course in regard to most of the measures, but expressed the hope that the legislature would so far as possible, make it unnecessary for him to continue to do this.

He was now able to congratulate the legislature and the people of the territory, on the fact that its finances were in a sound condition, although the revenue law still needed some slight revision, the nature of which he carefully pointed out.

So far in the history of the territory the counties had paid the cost of prosecuting criminals. This he thought was unfair, and he recommended the enactment of a law providing that the cost of prosecution henceforth should be borne by the territory.

The territorial convicts were still held in county jails, and were cared for under contracts with the sheriffs, until 1877, when the legislature provided that the governor should enter into contract with some responsible person to erect a penitentiary, somewhere within the limits of Thurston County, in which he should keep and maintain all the

prisoners for a term of six years. He was to employ them meantime at any suitable work that could be found for them, and be responsible for the proper care of any who might be sick, and recapture any who might escape. The more desperate criminals might be compelled to wear shackles, permanently fastened to their limbs with rivets, to be removed neither by night nor day. Under the act making these provisions, Governor Ferry entered into contract with William Billings of Olympia, who had long been sheriff of Thurston County, to build such a building as was required. It was located at Seatco. It was two stories high, and was constructed of planks firmly spiked together. The lower story was without openings of any sort, and was furnished with rude cells, in which the prisoners were kept at night; the upper story was occupied by the guards. Entrance to it was obtained only by a stairway outside the building, which led to the second story. By another on the inside the prisoners descended to their cells. The building was surrounded by a stout stockade.

The prisoners were employed in a sash and door factory, in a stone quarry in the immediate neighborhood, and in such other work as the sheriff found for them. Only a few of them worked without shackles. This prison was used until 1886, when the legislature provided that a new and permanent penitentiary should be constructed at Walla Walla.

The people had begun to be hopeful before Governor Ferry's time, that the territory might soon become a state. It had been talked of in Governor Cole's time, although the census of 1860 had shown that the population of the territory was only 11,594. In the winter of 1867-8 the legislature passed an act, providing that the question of calling a convention to form a constitution should be submitted to the

people at the next general election. But so few votes were cast in favor of it, that it was evident that a very large majority preferred a territorial government for the time being. As a territory the national government paid a large part of the governmental expenses, and most of the settlers were willing it should continue to do so. However, the question was again submitted in 1870 and again in 1871, when it was provided that the governor should give notice by proclamation that each voter must declare his preference for or against a convention. But the result was practically the same as it had been in the three preceding elections, and yet the question was again submitted in 1873 with the hope, apparently, that the voters would in time become sufficiently interested to have a convention called. But the hope was futile; the proposition was again defeated. Nevertheless it was submitted again, by act of 1875, and at the election held in the following year something over 7,000 votes were cast, with a large majority in favor of a convention. The legislature accordingly provided that one should be held at Walla Walla in June, 1878, and that the delegates fifteen in number, should be elected in April of that year.

No enabling act had been passed by Congress, to authorize the formation of a state government. Delegate Jacobs had introduced a bill in the house of representatives, after the favorable vote of 1876, but it had not yet received favorable attention, when the delegates to the constitutional convention assembled at Walla Walla. They were sixteen in number, including one from the northern counties of Idaho who was admitted to a part in the deliberations, though without a vote, and the convention sat for twenty-four days.*

*The delegates were: W. A. George, Elwood Evans, S. M. Gilmore, S. M. Wait, B. F. Dennison, Chas. H. Larrabee, C. M. Bradshaw, H. B.

The constitution made by this convention would doubtless have served for a considerable time, if the people had been permitted to form a government under it. It fixed a new boundary for the state, including the northern counties of Idaho, whose people found it more difficult to communicate with the capital of that territory than with the capital of Washington. Their representatives, and all others having business at Boise, usually went thither through the counties of eastern Washington, when they went at all. As the lines of communication then were, and seemed likely to remain for a considerable time, it would be far more convenient for them to be a part of Washington than of Idaho. It was for that reason that they desired, as they have desired at other times since then, to be annexed to this state.

An effort was made to have the convention provide for female suffrage, but it was not done. The distasteful word "male" was retained in describing the qualifications of voters. It was provided however, that "no person on account of sex, shall be disqualified to enter upon and pursue any lawful business, avocation or profession." Biennial sessions of the legislature were provided for, and they were limited to forty days. Special legislation was forbidden, and no lotteries could be authorized or divorces granted. The courts were reorganized; taxes were made uniform under general laws; and the power to tax corporate property could never be suspended; the public school fund could never be reduced; educational and penal institutions were to be provided, and the legislature was given power to change

Emory, D. B. Hannah, Francis Henry, A. S. Abernethy, J. V. Odell, George H. Stuart, O. P. Lacey, and L. B. Andrews. The Idaho delegate was Alonzo Leland. A. S. Abernethy was elected president, W. Byron Daniels was secretary, assisted by William S. Clark, and Henry D. Cook was sergeant-at-arms.

the location of the seat of government, though not without submitting the matter to a vote of the people at the next general election following the adoption of the constitution. Three articles were submitted for separate vote. The first provided for local option; the second for female suffrage, and the third for the annexation of the discontented counties of Idaho. These separate articles were all defeated, but the constitution was adopted when submitted to the people for their approval.

But it never became effective. Congress could not be prevailed upon to accept Delegate Jacob's enabling law, nor was Delegate Brents, who succeeded Jacobs in 1879, able to procure legislation approving the constitution, or authorizing the people of the territory to form a new one. It was not until eleven years later that an enabling act was finally adopted.

It was during Governor Ferry's administration that the greatest marine disaster that has ever shocked the people on this part of the coast occurred, bringing sorrow to many homes. The steamer Pacific was, in 1875, one of the finest vessel plying between San Francisco, Victoria and the Sound ports. She left Victoria on the forenoon of November 4th, of that year, with a full cargo, and a large number of passengers, though just how many was never known. It was supposed however, that passengers and crew numbered 275, among the former being representatives from nearly every considerable town in the territory and British Columbia, some of whom were widely known and their loss was universally regretted.

The steamer passed Tatoosh light about 4 o'clock in the afternoon. As the ocean was reached a strong wind from the west was encountered, against which she made but

little headway. The night came on very dark and stormy, but no serious difficulty was encountered until about 10 o'clock, when those who were awake felt a shock. They seem not to have been greatly alarmed by it, so far as known, although the ship's hull had been shattered, and she soon afterwards sank. There was time only to lower one of the boats, into which as many of the women and children as could be aroused and collected from their staterooms, were hurried, and then the wrecked vessel went down. The life-boat was swamped, and all in it perished. Only two of all on board escaped alive. One of these was a passenger named Henry F. Jelly, who with four others, seized hold of the overturned boat, after its occupants had all been drowned. One after another of the four were washed away, but Jelly maintained his hold for nearly 48 hours, until rescued by a tug from Port Townsend. The other was one of the ship's quartermasters, named Henley, who had got upon one of the life-rafts, and was rescued five days later in the Straits of Fuca. Seventeen persons in all are known to have got places on the life rafts, after the ship went down, but all perished from exposure, or became insane and drowned themselves, before the end of the third day, except Henley. Jelly died from the effects of exposure not long after he was rescued, but Henley is still living.* His home is at Steilacoom.

*May 1909. The fact that Henley was rescued in the straits, and that the bodies of several of the passengers who were drowned, were found a long time afterwards, on San Juan Island, indicates that the current inward through the strait when the tide comes in, is much stronger than that outward when it is receding. This is probably due to the fact that a large part of the water which comes in through the straits passes out through the Gulf of Georgia and the channel east of Vancouver Island.

The wreck was caused by a collision of the steamer with the ship *Orpheus*, whose captain was supposed for a time, to have been at fault, but investigation cleared him and his crew of blame. He had been approaching the straits, and the lookouts had discovered the steamer's lights only a few minutes before she was upon them. In the darkness they could not make out her course. When quite near her whistle was blown, probably as soon as the ship was observed from her decks, and almost immediately her prow struck the ship's side a glancing blow, staving in her planking almost to the water line, and carrying away a good part of her rigging. The *Orpheus* was so badly disabled that she could hardly be kept afloat, and neither the captain nor any of the sailors observed the sinking of the steamer. They expected she would be put about, and some inquiry made as to the damage done, but as nothing of the kind happened they felt that they had been heartlessly abandoned by the ship which had so nearly run them down. All that night and all the following day, were spent in making such repairs to the ship as were possible, and then an attempt was made to reach land. The first light sighted was supposed to be that at Cape Flattery, but proved to be at Cape Beale and the ship went hard on the rocks at the entrance to Barclay Sound. All on board were saved, but the ship was a total loss.

Among the passengers on the steamer who were lost was G. L. Vining, a merchant and farmer of the Puyallup Valley, Mrs. Mohan, a daughter of Job Carr, the first settler on the site of Tacoma; Mr. Hellmuth, a prominent resident of Walla Walla, and his wife; Colin Chisholm, one of the owners of the mill at Utsalady; S. P. Moody, a prominent mill man from Burrard's Inlet, B. C.; Mr. Victor, husband of Mrs. Frances Fuller Victor, the well known historical writer of

Oregon; Fred D. Hard, postal agent on the Sound; F. Garesche, Wells, Fargo & Co.'s agent at Victoria; Capt. Parsons, an old steamboat man from Fraser River; John Tarbell, a brother of Capt. Frank Tarbell of Olympia, and uncle of George Tarbell now of Tacoma. The captain of the steamer was Jeff. D. Howell, a brother-in-law of Jefferson Davis. He had been educated at Annapolis, but at the breaking out of the war, joined the Confederacy. After the war he served for some time as a common sailor, then as quartermaster on a ship sailing to China. From there he went to San Francisco and entered the service of the Pacific Mail Steamship Company as mate and master for a time, after which he served with the Oregon Steamship Company, and lastly with the North Pacific Transportation Company as master of several steamships.

A similar catastrophe, though not accompanied by the loss of so many lives, occurred April 16, 1879, when the steamer *Great Republic* went aground at the mouth of the Columbia and became a total wreck. It was at the time the largest sidewheel steamer on the coast, having a capacity of 3,882 tons. She had on board 896 passengers, and a large crew, all of whom were saved except eleven, who were drowned by the swamping of the last boat to leave the ship.

Governor William A. Newell of New Jersey succeeded Ferry as governor in 1880, and served for one full term of four years. His administration was generally uneventful. During his term the first permanent buildings for the insane asylum at Steilacoom were constructed, and the penitentiary at Seatco was considerably improved, and the treatment of prisoners ameliorated. A new kind of shackle had been invented which could be conveniently removed while the prisoners were in their cells, and a considerable supply of

them was ordered to be bought, so that the prisoners might be relieved from them while they slept.

The population of the territory was now becoming so dense that complaint began to be made of the unnecessary amount of land assigned to the Indians for their use, by the treaties which Governor Stevens had made. There were fifteen reservations in the territory which comprised something more than 7,000,000 acres in the aggregate. There were not more than 13,000 Indians all told. It was evident that they had no need for so much land, and could neither profitably use nor occupy it. It was untaxed, and generally unimproved. There were no roads through the reservations, and through some of them roads were beginning to be urgently necessary. But they could not be opened without the consent of the Indian office in Washington, which it took a long time to obtain, and they could only be improved at the expense of the settlers themselves. Governor Newell impressed upon the legislature the desirability of memorializing Congress to reduce these reservations by new treaties, and the matter was a subject of legislative consideration during several succeeding sessions. The deepening of the Columbia River from the Willamette to its mouth, and the improvement of its upper part so as to provide convenient transportation by water, from the rapidly developing counties in the eastern part of the territory, also began to be matters of more interest than formerly, and Congress was urgently appealed to, to begin this great work.

It was during Governor Newell's administration that the first practical test was made in the territory, of a law authorizing women to vote, to serve as jurors, to hold office, and generally to exercise all the rights and privileges of full citizenship. This matter had been long agitated in the territory,

as well as in other parts of the country, and had at times seemed to be regarded with considerable favor. An attempt had been made to pass a woman's suffrage law in Ferry's time, and a certain number of members of the legislature had been quite in favor of it. There were other members, as there always are, of the kind once aptly characterized by the late Emery A. Storrs of Chicago, as "band wagon statesmen,"—men who are willing to vote for any measure that seems to be popular at the moment, or likely to become so, without giving much thought to its desirability or practicability. Some of these, knowing that Ferry was opposed to woman's suffrage, were willing to vote for the bill if the governor would veto it, and they accordingly approached him to know whether he would do so. But he told them frankly that while he was opposed to it, if the legislature passed the bill he would approve it, and these "band wagon statesmen" were forced to determine for themselves whether or not they would support it. The courage of the majority of them was apparently not sufficient to enable them to justify so great an innovation on the established order of things, and the bill was for that session defeated. But in the session of 1883-4 it came up again and was adopted.

It remained the law for nearly four years, during which women voted and served on both grand and petit juries. Sometimes the service they rendered was so satisfactory as to convert even the more vigorous opponents of the experiment, and among these was Governor Ferry himself, who after retiring from office as governor, returned to the practice of law at Seattle. He subsequently declared that he had found that women who had sat on the juries to hear and determine the cases in which he had been engaged, had given as careful attention to the evidence and the arguments, and

had generally weighed them as accurately, and decided the issues involved, with as much good judgment as was ordinarily shown by male jurors.

Curiously enough the law was declared to be invalid in a gambling case, which raised the suffrage question only incidentally. One, Harland a gambler, was arrested on a charge of having unfairly beaten another player out of something over \$600 at cards. Five members of the grand jury which indicted him were women, and it was pleaded in his defense that they were not householders, with the meaning of the act, as they were all married and living with their husbands. Objection was also raised to the title of the act, which was "an act to amend section 3050 of the statutes." The case was argued in the Supreme Court by Elwood Evans, for the defendant, and by Fremont Campbell then prosecuting attorney of Pierce County, for the people. Although it was known that it involved the validity of the suffrage act, the women of the territory took little interest in and made no efforts at all to be represented at the hearing. The Anti-Chinese disturbances had taken place only a short time before it came on to be heard, and in these some women had so conducted themselves as to very greatly lessen the good opinion which the test of the law so far as made had gained for it, and even to shake the confidence, to some degree, of the women who had been most deeply interested in securing its enactment. So the whole question was submitted upon the arguments made by the counsel for and against the defendant in the gambling case.

The court was divided. The opinion of the majority was written by Justice Turner and concurred in by Justice Langford; Chief Justice Greene dissented. The majority

opinion held the act invalid, because its character was not sufficiently described in its title.

The law was reënacted with a new title in 1888, and in April following, at the city election in Spokane, Mrs. Nevada S. Bloomer offered to vote, and her ballot was rejected by the judges. She brought an action for damages on account of having been denied her rights under the law, and the question again went to the Supreme Court, which again declared the law invalid as not being authorized by the organic act.

During the winter of 1881-2 a condition of affairs prevailed in Seattle that caused a great deal of excitement and anxiety, though it did not call for the intervention of the territorial authority. The city had become infested with thieves and rough characters, who set the law at defiance, and robbed and murdered people as frequently and as openly as similar characters had robbed and murdered people in Walla Walla twenty years earlier. The authorities seemed to be entirely inadequate to cope with them. Only on comparatively rare occasions were arrests made, and few criminals were punished. Things finally became so bad that there was but one sure remedy, and this was effectively applied.

On the evening of January 17, 1882, George B. Reynolds was passing along the street near his place of business when he was accosted by two men, one of whom thrust a pistol in his face and ordered him to throw up his hands. This he refused to do, and attempted to draw his own pistol, when he was shot through the breast. As he sank to the pavement he uttered a cry for help, and a crowd soon gathered, but his assailants for the time being escaped. Reynolds was carried to his home where he soon after expired in great agony.

News of the murder spread rapidly through the town, and law-abiding citizens were aroused as they had not been aroused by any previous outrage, for Reynolds was widely known and popular. The opinion was universal that the time had arrived when effective measures should be taken to clear the town of the rough element, and restore peace and safety to the community. The fire bell was rung, and about two hundred citizens assembled at the engine house. A vigilance committee was organized, and its members immediately began a search for the murderers.

Some of those who had been in the vicinity when the shooting occurred were able to give a partial description of them. It was observed that they had fled through an alley, and it was found that their tracks in it were still visible. Four hours later two men were found in hiding under some hay on Harrington & Smith's wharf, one of whom, a one-armed man, had a revolver with one empty and four loaded chambers. The other had about a hundred cartridges that fitted this weapon.

The two were arrested and taken to the jail, where the members of the vigilance committee, just formed, soon after appeared and demanded them. The sheriff, L. V. Wyckoff, Van. Wyckoff, his son; John H. McGraw, then chief of police, and James H. Wollery were at the jail and refused to give them up. The crowd then broke down the door, when the sheriff drew his pistol and declared his determination to defend the prisoners with his life. One resolute man, with the law in his favor is usually more than a match for a hundred who think they are willing to violate it, and it was so in this case. The crowd hesitated and finally came to a parley, in which it was concluded to await the preliminary examination of the prisoners on the following morning. But

on retiring from the jail they took with them the shoes of the prisoners, which were found to fit exactly in the tracks left in the alley through which the murderers had escaped.

The court room was crowded to the doors next morning when the prisoners, who gave their names as James Sullivan and William Howard, were brought up for examination. As they had no lawyer one was appointed by the court to defend them, and W. H. White and Orange Jacobs appeared for the territory. The death of Reynolds was proven, and it was shown that he had been killed by a bullet of the same size as the calibre of the revolver found on one of the prisoners. Several persons testified to having seen them near the place, and at about the time when the shooting had occurred. It was also shown that their shoes fitted the tracks made by some persons who had run through the alley, through which the murderers were known to have gone. This evidence was regarded as so conclusive of guilt that the prisoners were held for the grand jury, and remanded to the custody of the officers.

But Justice Coombs had scarcely announced this order when the crowd made a rush for them, and before the officers who had them in charge could make any effective resistance, they had been taken away from them and were hurried into the street. The crowd knew exactly what it intended to do, and when and where it was to be done. The prisoners were hurried through an alley behind the court room to Occidental Square, where two scantlings had already been placed in the forks of two maple trees in front of Mr. Yesler's residence. Only one of them made any resistance, but he was easily overpowered, and it took but a moment to place ropes about their necks and hang them.

Chief Justice Greene, who had hurried to the scene as soon as he learned what was taking place, attempted to address the crowd, and made as much effort as one man could make against several hundred to save the lives of the wretches, but it was ineffectual. They were hanged, and the crowd would not permit them to be touched or taken down until both were dead. While they were still writhing in the last throes of their death agony, someone remembered that there was another murderer in the jail, one Benjamin Payne, who was charged with having murdered David Sires, a police officer, and a cry was raised that he also ought to be hanged. The suggestion was instantly approved. The crowd hurried to the jail, tore down the fence surrounding it, battered in the doors, seized the prisoner and hurried him to execution. He protested his innocence, but no one listened, and within a few minutes his lifeless body was hanging with the other two.

These hangings put an end to the reign of terror in Seattle. The rough element soon moved out, and from that time forward life and property were as safe there as in any other city on the coast.

Watson C. Squire was appointed governor at the close of Newell's term. It was during his administration that the Anti-Chinese agitation occurred, an account of which is given in a succeeding chapter. Previous to his time the reports made by the governors to the secretary of the interior, when they had been made at all, were merely formal reviews of the acts of the territorial administration for each year. But Governor Squire did much more than this. His first report was a document of 77 pages, in which the resources of the territory, and the progress made in their development were fully described. A vast amount of statistical and other

interesting information, which had been collected with great pains, was embodied in this report, which was printed by the department and subsequently reprinted by the Northern Pacific Railroad Company, and by the legislature, and widely distributed. It was one of the most effective advertisements of the territory that had been prepared since the time of Jay Cooke and Governor Stevens, and proved to be of great benefit in promoting the settlement of the territory. His subsequent reports were equally valuable, as were those of Governor Semple who was his successor.

When Governor Squire's term of office began the financial condition of the territory was excellent. It was entirely out of debt and had \$47,901.81 in its treasury on July 1, 1884. The counties were no longer negligent about paying their territorial taxes. The assessed valuation had risen to \$50,508,484. In 1885 this total was slightly reduced, partly by the depressed business conditions which then prevailed, but largely by the fact that railroad property was not assessed, the legislature of 1883 having passed a law providing that railroad companies should pay taxes on their gross earnings. This law soon became unpopular and was repealed in 1887.

Population was increasing rapidly. The national census of 1880 had shown only 66,979 people in the territory, but the territorial census taken in 1885 showed a total of 129,438. The counties of Asotin, Lincoln, Kittitas, Franklin, Adams and Douglass, east of the mountains, and Skagit County in the Sound country, had been organized in 1883, and all were prospering. This prosperous growth continued until the territory became a state in 1889.

The annual reports of Governor Semple were prepared with quite as much care as those of Governor Squire, and show that the territory was quite as prosperous during his

term as in that which preceded it. The coal mines and lumber mills were steadily increasing their output. Manufactures in various lines, including ship building, was increasing. The fisheries along the Columbia and in the Sound, as well as deep sea fishing, was attracting more and more attention each succeeding year. The labor supply was scarcely equal to the demand. Irrigation, particularly in the Yakima and Kittitas valleys, was beginning to give evidence of the wondrous change it was to produce in the middle portion of the territory, and companies with capital sufficient to build ditches that would water large areas were beginning to be formed.

During the last months of the territorial period a large part of the business portion of Seattle was destroyed by fire, and the cities of Spokane, Vancouver and Ellensburg suffered from similar conflagrations. The fire in Seattle began about half past 2 o'clock on the afternoon of June 6th, and before midnight about one hundred and twenty acres in the very heart of it had been burned over. Many people were made homeless temporarily, but the relief promptly furnished by neighboring cities saved all from actual suffering. The fire, which for the time being seemed a calamity, soon proved to be a blessing in disguise to the city. Rebuilding was promptly begun; some faults in the city's plat were removed or corrected, and within a year few people felt occasion to regret that the fire had taken place.

The last of the reports made by the territorial governors, was that of Miles C. Moore, at the close of his short term of only nine months in the executive office. It showed that the population of the territory was at that time 239,544; at the election for state officers just held, 58,543 votes had been cast. The assessed value of taxable property was

\$124,795,449, having more than doubled in the two preceding years. Of the 44,798,160 acres in the territory, 21,715,258 had been surveyed. During the year, 487,410 acres had been taken up by homestead entries and 527,505 by preëmption. The total entries, including timber and coal lands, and timber culture claims, amounted to 1,425,968 acres, and the total disposed of during the year, including sales by the Northern Pacific Railroad Company, was 1,841,989 acres. The farmers in the eastern counties were sending a large part of their products to St. Paul, Minneapolis and Chicago, while the flour mills at Walla Walla and Spokane were finding an abundant market in the mining regions of Montana and Northern Idaho. Trade in all lines was active. The total tonnage entered at the Port Townsend Custom house for the year was 955,036 tons; the clearances were 962,751 tons. The value of exports for the year was \$2,937,477. During the year the Oregon Railway and Navigation Company had taken out of the wheat-growing counties 104,464 tons of wheat, 13,670 tons of flour, 9,458 tons of barley and 1,226 tons of wool. The hop crop had amounted to 8,202,287 pounds. The total output of the coal mines was 917,603 tons, a falling off from the previous year, when it had amounted to 1,133,800 tons. The total lumber cut for export amounted to 755,00,000 feet. The salmon pack for the year was 205,000 cases. A new hospital for the insane had been established at Medical Lake, and the new penitentiary at Walla Walla, which had been completed in 1887 had been considerably improved. The territory turned over to the state an efficient national guard composed of two regiments of infantry, of six companies each, and one troop of cavalry, a total of 845 officers and men.

CHAPTER LVI.

THE RAILROAD COMPLETED.

WHEN Jay Cooke & Co. could no longer sell bonds, and procure money to extend the rails of the Northern Pacific across the continent, the promoters of the enterprise began to realize more fully than they had ever done before, the vastness of the undertaking in which they had engaged. Most of them were railroad managers and railroad builders, and they knew well that railroads require a local patronage to sustain them, while they had undertaken to build nearly 2,000 miles of track through an almost uninhabited country. There were sparse settlements at either end of the line; between them there were long stretches of arid plains, and two mountain ranges. There was an abundance of fertile land also, which they had confidently expected to get settled as their road building proceeded, but in this they had only begun to be successful. So persistently had people believed that Minnesota and the Dakotas were ice bound regions during eight or nine months in the year, that settlers had not been induced to go there as rapidly as had been hoped. Had not President Cass and Director Cheney purchased large tracts of the company's lands in Dakota, and by the help of Farmer Dalrymple, began to demonstrate, on a grand scale, that the boundless prairies of that region would readily grow the best bread-making wheat in the world, the road already built between the Mississippi and the Missouri might still have been without patronage. They had thus far counted, too hopefully perhaps, on the transcontinental business—the trade with the Orient that Stevens had foreseen would come in time—but none of this would be available until the whole line was completed, and even then it would require to be developed and built up, which was to be a slow process. Less experienced men than they were in railroad building and management,

would have been wholly incompetent, in the position they were in; less courageous men would have abandoned the undertaking in despair.

But these had ventured too much to lose all; they knew too well the worth of what was to be won to abandon hope or effort. Plans were made by which a part should be sacrificed in order that a part might be saved, and the road already built maintained until better days should arrive, when work could be continued. Accordingly the bond holders gave up their places as bondholders to become stockholders, in order that the property might be again pledged for a new loan.

But no money could be raised even in this way, for a considerable time. During 1873 and 1874 the road scarcely earned operating expenses. Then a small surplus was earned for the three or four succeeding years, which was expended in building a few short branches, and in securing a connection with St. Paul. Meantime appeals were made to Congress for help in various ways, all of which were refused, and at times it even seemed possible that the forfeiture of certain portions of the land grant, on which the company depended to complete its line, would be declared.

But in 1878 conditions began to improve. The government was about to resume payment in gold and public confidence was returning. In 1879 Mr. Billings, who had by that time become president, was able to negotiate loans for resuming work both on the eastern and western divisions. Track laying extended slowly westward from the Missouri River for the first few months, and it was not until 1880 that work was begun in Washington.

During the early panic years the German holders of bonds and stocks in the Oregon and California Railroad, and the

various steamship enterprises of which Ben. Holliday had been the promoter, had sent Henry Villard to the coast to take care of their interests, and he had managed so successfully, in these and other matters which they had entrusted to him, as to secure their almost unlimited confidence. They had furnished him money with which to build a railroad along the south bank of the Columbia, from Portland to the broad wheat fields and rich stock-growing country in eastern Washington and Oregon. Its tracks had already reached and passed Wallula; it had changed Dr. Baker's road to a standard gauge, and was extending its branches to Waitsburg, Riparia, Dayton and Pendleton. Villard had also secured control of the Oregon Steam Navigation Company, which the Northern Pacific had lost soon after its financial difficulties began.

As it was neither advisable to antagonize Villard and his railroad and river lines, by building a competing line along the north bank of the river for the purpose of securing only a share of the existing business, an agreement was made with him to haul construction material from Portland to Wallula upon favorable terms, and for an option to use his line from Wallula westward, when the Northern's tracks should be completed to that point. By this means building could be begun from Wallula eastward, the construction of a difficult section of track would be avoided for the time being, and direct connection would be easily and more quickly gained with the lower river and deep water when the line should be nearing completion.

The graders began work at Wallula in October 1879, but made very slow progress during the remainder of that year. In 1881, the grade was completed to and beyond the state line. The work was prosecuted under many difficulties

and embarrassments. The line ran, during the greater part of the way, through an uninhabited and untimbered country, and the graders were sometimes nearly 100 miles in advance of the track layers. Ties, and timber for bridges and trestles, were obtained with the utmost difficulty. While a sufficient supply had been cut in the timbered regions along the upper Columbia and its branches, a long time in advance, as it was supposed at the time when it was to be used, the streams were so low at first that it could not be got out. Then an unusual flood came and much of it was washed away, and a new supply had to be provided.

The resumption of work on the Northern line, and the building of the new line along the Columbia from Portland to Wallula gave an immense impetus, for that day, to the settlement of all the eastern counties. The rate on grain from Walla Walla and neighboring points to Portland was reduced to \$8 per ton, and on stock and all other farm products proportionately. The farmers everywhere took new courage. The Oregon Improvement Company, with a capital of \$5,000,000, which was one of the Villard enterprises, organized for the purpose of developing the mines and other resources of the country, bought 150,000 acres of farm lands from the Northern Pacific land grant, and by liberal advertising, offering farms to settlers on easy terms, did much to hasten settlement. The towns everywhere grew as rapidly as the farming regions were settled. Columbia County had been set off from Walla Walla in 1875, and in 1878 contained a population of 5,771 people, which in 1880 had increased to 7,103. Garfield County was set off from Columbia in November 1881, with Pomeroy as its county seat. Six years earlier, there were probably less than 200 settlers within its limits. Yet at its first election, held in

1882, 1,014 votes were cast. A year later, in October 1883, Asotin County was organized.

The Walla Walla country had developed rapidly, even before the completion of the railroad line which gave its products a direct outlet to Portland. By the census of 1870, when the country included all of what afterwards became Columbia, Garfield and Asotin Counties, the wheat grown had amounted to only 190,256 bushels. By the census of 1880 this product had increased to 779,907 bushels, not including what was grown in the part of it out of which three new counties were made. Other crops had increased in proportion, although during all this time the surplus had been sent to market from some parts of the county at great cost. In the northern part, along Snake River, it had been necessary to build chutes more than half a mile in length, through which wheat, oats and barley were poured down from the high bluff along the river to the steamboat landings. The first experiment with these chutes was very discouraging. The first one constructed was a wood box four inches square, and 3,200 feet long. The grain poured into it made a descent of 1,700 feet in its passage, and with such velocity as to convert much of it into unbolted flour, by the time it reached the bottom, as well as rapidly to wear away the chute itself. But by repeated experiments a way was found, not only to check the golden grain in its descent, at intervals 100 feet apart, but to materially lessen the wear of the chute, and also to make the grain clean itself in transit. By the coming of the railroads, this novel method of transporting grain was largely done away with.

Not only did the area sown to wheat increase rapidly from year to year during this period, but that planted to kindred crops increased in proportion. The farmers also found their

land admirably suited to fruit growing and the raising of vegetables, and with the completion of the railroad giving the farmers access to market, the growing of these products, particularly of small fruits and vegetables, increased phenomenally. The towns grew in proportion as the country developed. Manufacturing, particularly of flour and lumber and lumber products, also increased and the manufacture of farm machinery was begun and thrived in proportion as population increased.

Railroad building in an uninhabited country brings with it a people who build railroads; few of them do anything else to benefit the country. A few others follow to despoil them of their earnings, and waste them in riotous living. They too, do nothing of value to the country, except finally to leave it. People of both kinds came into the country east of the Columbia River, when work was resumed on the main line of the Northern Pacific, at Wallula. Towns sprang up at various points along the line that did not long remain after the track laying had been finished. One of these was at the crossing of the Snake River. Here a bridge, costing \$750,000 was to be built, and it was certain that a considerable number of men would be employed there for several months. The graders and track layers, the quarry men and wood choppers working on both sides of the river would resort thither to spend their earnings if suitable attractions were provided. Within a short time sixteen saloons, most of which had dance halls and gambling rooms attached, were established there. There were no stores; the company's store supplied all the articles of rough wearing apparel that were required. A few restaurants provided food for those who had money to buy; hotels were not needed as every traveler carried his blanket with him and found

convenient lodgings, with nothing to pay therefor, under the spreading sage brush. The money thus saved by these thrifty lodgers, together with all the rest they brought with them was soon spent in riotous living. The town contained all the vicious elements that are found in the vilest parts of great cities, and they were wholly unrestrained by police regulations. The only law known or recognized was the law of the strongest. But the reckless bravado of the mining camp, where differences of opinion are often settled by resort to the ever ready revolver, was rarely seen there. One day a man was stabbed to death in a street quarrel. His slayer claimed he had not meant to kill him, but a committee of the bystanders thought differently and promptly hung him to a telegraph pole. After that most quarrels were adjusted in quieter ways, after dark, and with the aid of the sandbag or bludgeon, and the swift-flowing waters of the river carried with them to the sea all evidence that a tragedy had taken place, except that which the wielder of the bludgeon carried with him until he, too perhaps found his way down the river.

The town was incorporated, and had its mayor and other officials in its day. It continued its career until the bridge was finished, and then it became evident that there was no further occasion for its existence. Its inhabitants, or most of them, followed the bridge builders to the next favorable stopping place. Some took with them the buildings in which they had lived, as lumber was valuable. Those who did not do so abandoned them, and they were soon appropriated for firewood. The town was disincorporated, but left no debt, and today some fifteen or twenty acres of empty and broken bottles alone mark its former site.

There were other towns where things were active enough for a time, simply because the contractors made their headquarters there, and when they moved, disappeared because they were in the midst of a desolate waste that at the time seemed to be utterly valueless. Still others began a permanent existence, growing slowly at first, and then more rapidly until they became centers of thriving industry. Among these were Cheney and Sprague, Ritzville, and later Connell, Lind and Eltopia. As settlement progressed the arid region gradually narrowed. Broad acres where once the rainfall was sufficient only to produce cactus and the bunch grass, began to have moisture enough to raise cereals in abundance, and in time, as water was brought into even the driest wastes by artificial means, they were proved to be the most productive in the world.

One of the first towns to get a promising start on the new line was Cheney, named for Director Benjamin F. Cheney of the railroad company. It was laid out in 1880 and became the county seat of Spokane County by a close vote, the thriving settlement at Medical Lake, in the western part of the county, having turned the balance in its favor.

Spokane had been its competitor in the race, but was at a disadvantage because the railroad was approaching from the west and would reach Cheney first. It had grown steadily but slowly since 1875. Its people had been badly frightened in 1877, as all others in eastern Washington had been, by the Nez Perce uprising in that year, and as one result of this two companies of United States troops had been stationed there, which not only gave the inhabitants a sense of security that they had not previously enjoyed, but added materially to the prospects and importance of the town. The discovery and exploration of promising mining districts

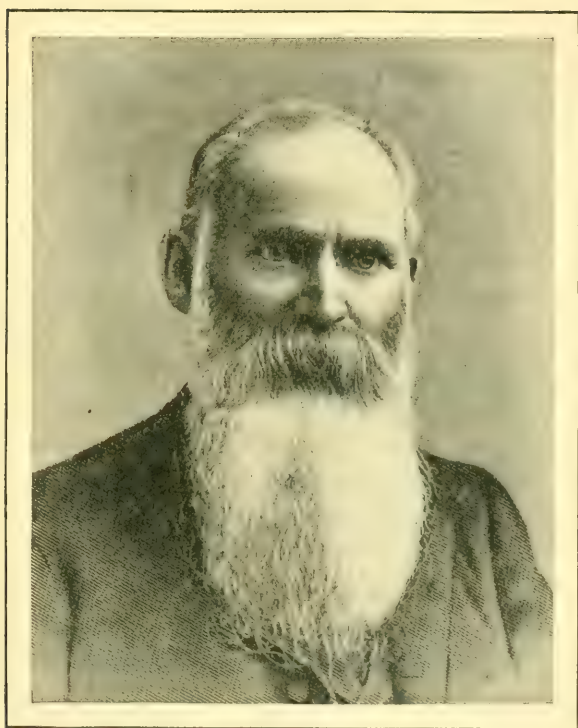
A. M. LARSEN

One of the first members of the Chicago Board of Trade; crossed the plains to Pike's Peak in 1859; went to San Francisco in 1870 and came to Washington in 1878, settling at Spokane Falls.



other towns where they have enough water simply because the contractor had a head of water there, and when they moved, the water was because they were in the middle of a dead-end water. At the time seemed to be utterly valueless. Still others began a permanent existence, growing slowly at first, and then more rapidly until they became centers of thriving industry. Among these were Canyon and Sprague, Riverville, and later Connell, Lind and Elmo. As settlement progressed the arid region gradually narrowed. Broad acres where once the rainfall was sufficient only to produce cactus and the bunch grass, began to have moisture enough to raise cereals in abundance, and in time, as water was brought into even the driest wash, by a natural means, they were proved to be the best places for the world.

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toward the east and north, had brought to it and through it an encouraging number of prospectors. With them had come a few men of affairs who were to be substantial factors in building up the city. In 1878 Captain J. M. Nosler, W. C. Gray, Dr. L. P. Waterhouse, A. E. Ellis, A. M. Cannon and J. J. Browne arrived, and Cannon and Browne bought an interest in the townsite from Glover and his partners, and began to push its development. Cannon, Warner & Co. opened a general store, as successors of Glover, and Gray opened a hotel.

In 1879, Browne went to Olympia to persuade the legislature to organize Spokane County once more. A bill was introduced for the purpose by D. E. Percival of Cheney, which soon became law, although some opposition was made to the final *e* in the name. In the same year the Spokane Times was started, with a special mission, as it appeared for a time, to get rid of the obnoxious *e* in the town name, and the first bank in the town began business.

As the railroad long looked for and hoped for, advanced eastward in 1880, and the confidence which had long prevailed that it would pass through the town gradually grew to certainty, prosperity increased. The Times was issued as a daily, and the Chronicle was started. By 1881 the town claimed to have one thousand inhabitants, and was incorporated as a city, Robert W. Forrest being its first mayor, with S. G. Havermale, A. M. Cannon, L. H. Whitehouse, L. W. Rima, F. R. Moore, George A. Davis and W. C. Gray as members of its council. The railroad reached the city June 4th of that year, and the arrival of the first train was duly celebrated by the firing of giant powder, and a grand excursion to Cheney.

From that hour the prosperous growth of the city began, which has almost uninterruptedly distinguished it. In 1884 its third newspaper, the Review, was founded, a Holly water system was established, and a United States land office was opened. In 1886 the Big Bend country began to attract settlers as the result of advertising done by the railroad. The Spokane and Palouse branch of the Northern Pacific was built, and D. C. Corbin constructed a short line called the Spokane and Idaho. In the same year the first street railway tracks were laid, the first four story brick building was built, and a county fair was established. The city now had 4,000 inhabitants. The years 1887 and 1888 were years of great prosperity for Spokane. During the former, the county seat was removed to it from Cheney after a sharp fight.

In 1889 the fairest and most substantial part of the city was destroyed by fire, an event that would have proved disastrous to many towns of its size, but its recovery from the effects of it was rapid. The tracks of the Oregon Railway and Navigation Company's railroad reached the city from the south in 1890, and the Spokane and Northern, which was to extend northward into British Columbia, was begun in the same year. The Eastern division of the Seattle Lakeshore and Eastern had been constructed westward from the city into the Big Bend wheat fields, so that Spokane was now beginning to be connected by rail, not only with the rich mining regions lying toward the east and north, but with the equally rich or richer farming and fruit growing regions on the West and South.

The settlement of these fertile regions had progressed favorably from the time that railroad building had begun. Many thousands of acres that had been used only as cattle

ranges in 1880, and some portion of which had even been still in the possession of the aboriginal inhabitants, were now changed to productive farms. Farming was carried on only in a primitive way for the most part, but it was nevertheless profitable, and the cultivated area was increasing rapidly year by year. Wheat was the principal, if not the only crop. The rich volcanic soil and dry atmosphere during the growing season, produced a plant with a stiff, hard straw that safely bore its burden of golden grain for many weeks after it had ripened, thus prolonging the period of harvest from July to November, during which the uncut grain suffered but little. The yield was always above the average for every other portion of the country. The weather during the long harvest season was almost always favorable, and the farmers rarely brought their grain from the fields until the threshing season. Much of it was cut by headers, and piled in heaps with no protection against rain until the threshers arrived. When threshed it was sacked and hauled to the nearest station, where it was left wholly unprotected from the weather, except by the sacks which contained it, until the railroad could haul it to market.

Wheat growing, under these secure and convenient conditions, was so profitable that diversified farming was not encouraged. The farmers gave but little attention to their orchards and gardens. Many of them even bought their butter, eggs, poultry and bacon from their grocers, as well as many other articles that they could easily have produced themselves.

But one rainy harvest season in the early nineties changed all this. The farmers lost one crop, but they gained an experience that was worth far more than its value. Thereafter, while still continuing to grow wheat in ever increasing

quantity, they gave more attention to their orchards and gardens, their flocks and their herds, and all the other forms of industry that tend to make farming profitable. The result is that the Walla Walla Valley is rapidly becoming a vast garden, while Spokane has established an annual fruit exhibit that is already a thing of international interest. Both towns have become notable as milling centers, while the whole surrounding country, comprising all of the eastern counties of the state, are thickly studded with thriving towns, that mark it to the eye of the traveler, as one of the richest agricultural regions of the world.

While track laying on the Northern Pacific was thus progressing eastward toward Pen d'Oreille, and westward from the Missouri, those then in authority in the company's affairs were laying plans to build the Cascade Division as originally intended, westward from the Columbia across the mountains to the Sound the main terminus. This, President Villard of the Oregon Railroad and Navigation Company, desired to prevent if possible, as it was to the interest of this company to have its tracks used as the western extension of the transcontinental line.

As the surest means of accomplishing what he desired, he laid plans to get control of the Northern Pacific itself. In order to do this, he organized a syndicate of capitalists, which was at the time and has been since known as the "blind pool." There were then \$31,000,000 of stock in the company outstanding and \$18,000,000 in the treasury of the company. In order to gain control, about \$20,000,000 in ready cash were required. This he procured from a comparatively small number of people, who knew that they were joining in the organization of a new company to be called the Oregon and Transcontinental, and that its object was to acquire

control of the Oregon Railroad and Navigation Company, and do something more, the nature of which was not then imparted to them. But so confident were they at the time, of the ability of Villard, to carry through any undertaking in which he engaged, that they were willing to contribute several times the amount asked if he would receive it, and some of them complained rather of the small amount they were permitted to subscribe, than if the sum had been much greater.

With the money thus provided, Villard purchased a majority of the stock, and was elected president of the Northern Pacific Railroad in 1881. The Oregon and Transcontinental Company was then organized, as an Oregon corporation, with a capital stock of \$50,000,000, and thereafter its function was to furnish capital to the Northern Pacific, the Oregon Improvement Company and other collateral corporations organized by Villard, as they should require it.

During 1882 and 1883 the main tracks of the Northern Pacific were pushed rapidly, both from the east and west, toward the point where they were to unite, and about five hundred miles of branch lines in Minnesota, Dakota, Montana and Washington, as well as a steel bridge 1,426 feet long, with an approach of two miles on the west, and more than one mile on its eastern side, across the Missouri River, were built. The tunnels through the mountains at Bozeman and Mullan were begun, but as they could not be completed by the time the rails reached them, the track was carried over the mountain at both places by a system of switchbacks.

While the road building was thus going forward, more rapidly than it had ever been prosecuted on any other line, and at a cost of from two to three million dollars a month on either extension, Mr. Villard made two trips to the coast'

both of which were of special interest to the residents of Portland and the Sound towns. His power in the financial world now seemed to be greater than that of any other figure that had ever appeared in it. No other magnate had ever produced money in such abundance, or built railroads so rapidly. It was a matter of immense importance therefore, to the residents everywhere along the lines which he controlled, and particularly in the cities in Washington and Oregon, to discover what his intentions were and persuade him, as far as possible, to center as much of the business which he controlled in their several towns, as they could.

During the second of these visits, which was made in April 1883, public meetings were held, both in Tacoma and Seattle, which were largely attended by their citizens, and at which committees presented him with addresses, in which they expressed their hopes, and invited his attention to the advantages which their towns possessed, both for developing business for the road when completed, and for easily and cheaply attending to the transfer of freight between land and water carriers. In both places, the citizens were particularly anxious to know when the Cascade branch would be begun and finished, and by which of the several passes it would cross the mountains, for with this information they would be able to judge with more certainty which of the two towns would be most conveniently reached, and which would command the larger share of the advantages which the road would bring when completed. In both places questions of importance were publicly asked, and as fully answered as circumstances would permit. Tacoma people wanted to know whether Mr. Villard really intended to remove the terminus to Seattle as had been hinted, and they also wished him to build a depot, a hotel and a grain elevator. Seattle people

wanted to know whether, if they should contribute \$150,000 for the purpose of building a standard gauge railroad up the Cedar River Valley, to connect the Green River coal deposits with Seattle, and also to connect with the Cascade Division when complete, if Mr. Villard would agree to build the road at once. All these inquiries were so favorably answered as to give general satisfaction to both towns.

By this time Mr. Villard, through his Oregon Improvement Company, had acquired the Seattle and Walla Walla Railroad and all its allied interests, paying \$350,000 for the road and the Company's land holdings, and \$750,000 for the coal mines reached by it, and for the ships and vessels of various sorts which were at the time engaged in carrying the product of the mines to San Francisco and other California ports. The purchase of these interests had given the people of Seattle great cause to hope, and those of Tacoma a corresponding cause to fear, that his own and his companies' interests in the neighborhood of Seattle, would in the near future lead him to transfer at least a part of the terminal business of the railroad, if not the whole of it, from Tacoma to Seattle. There was in fact, much ground for expectation that this would be done. The Oregon and Transcontinental Company, through the Oregon Improvement Company, was not only extending the lines of the narrow gauge coal road, now known as the Columbia and Puget Sound, to the several coal mines nearest its present terminus, but it was beginning, or soon would begin to build the Puget Sound Shore line south from Black River Junction to Stuck, to connect there with a spur seven miles in length which the Northern was building, and this would give Seattle direct connection with the main line. This seemed to promise to put it on an equal footing with Tacoma, so far as facilities

were concerned, and made the situation, as between the two towns extremely interesting.

The eastern and western divisions of the main line were brought together at a point on the north bank of Deer Lodge River in Montana, on the 8th of September 1883. Mr. Villard had invited a distinguished company to witness the driving of the last spike, and the final ceremony of completing the line. Among his guests were many members of the cabinet and of the House and Senate, the whole diplomatic corps, many well known financiers from both sides of the Atlantic, and several members of the nobility from various countries in Europe, particularly Germany and England, together with the governors of all the states through which the railroad lay. These were brought to the point of union in five special trains, two from the Atlantic Coast, one from Chicago, one from Minneapolis and St. Paul, and one from the western terminus. Fully two thousand people were present. Mr. William M. Evarts of New York was the orator of the occasion, and speeches were also made by Ex-president Grant, Henry M. Teller, Secretary of the Interior in President Arthur's cabinet, Carl Schurz, one of his predecessors in that office, Ex-president Billings of the railroad company—who had twice saved it from financial disaster—and several others, and then at half past five o'clock in the afternoon, Mr. Villard himself drove the last spike—which was represented to be also the first spike driven when the building of the road had been begun nearly fourteen years earlier—and the rails were thus united to make one continuous line from Lake Superior to Puget Sound, for before the ceremony was completed, Mr. Villard had received a dispatch from the contractor, saying that the section of track between Portland and Kalama had been completed that very day.

Mr. Villard and his guests now continued their journey westward, and were received everywhere with a most generous welcome. Buildings were decorated in all the cities; the streets were spanned by arches; cannon were fired, and the arrival of the excursion trains was greeted by large delegations of citizens. Only a hurried visit was made to the Sound cities, to which most of the guests were brought by steamer from Portland, as the great transfer boat Tacoma, by which trains were to be ferried across the Columbia at Kalama, was not yet completed.

Both cities were found to be in a thoroughly prosperous condition. The certainty that the railroad would soon be completed had not only given their people new courage, but it had brought large additions to their numbers. Everywhere about them the visitors saw evidences of a thrifty and permanent growth. Building was active, and many of the new buildings were of a substantial and creditable character. Streets were being graded, wharves built, and fleets of small steamers were beginning to connect both towns with the villages and settlements on both shores of the Sound.

Both towns had received considerable impulses during the preceeding year from the proceeds of an unusually large hop crop, which had been sold at a price unexpectedly large. Hop growing had by this time become a very considerable and profitable industry in many of the valleys of western Washington, particularly in those of Pierce and King Counties. In the spring of 1866, Charles Wood, owner of a small brewery in Olympia, had given Jacob R. Meeker about half a bushel of hop roots, which he had carried on foot to the Puyallup Valley where he had planted them. They thrrove encouragingly, and the first harvest, gathered in the fall of that year, yielded 185 pounds, for which Mr. Wood

paid 85 cents a pound. This encouraging return led to a rapid extension of the industry, and by 1883 no less than 2,355 acres had been planted in the two counties. The average yield from these was over 1,600 pounds per acre, and some growers claimed to have raised more than 3,000 pounds per acre. The crop of 1882 had been sold for \$1.00 per pound, and some growers had received even a higher figure. Most hop-growers had more money that year than they had ever had before in all their lives, and they had invested it liberally in Tacoma and Seattle. As a result, prices of real estate in both cities had advanced sharply, and money was everywhere abundant.

But the situation was entirely different in the east. There business conditions were again unsatisfactory, and the stock market was very unsettled. While Mr. Villard and his guests were still on the coast his enterprises were attacked, and the price of stocks in all the companies in which he was interested, were so far depressed as to thoroughly imperil the confidence which he had formerly enjoyed. It had been discovered that some parts of the road he had just built, particularly the section between Pen d'Oreille and Missoula, had cost far more than had been expected, and that new bonds must be issued to cover this increased expenditure. It was already doubtful whether these could be sold. Mr. Villard's resignation therefore, became inevitable, and he retired from the presidency on January 4, 1884.

During the whole time in which he had been in control, there had been two parties in the Northern Pacific directory. One of these had supported him in all his undertakings, and the other had opposed. One was interested in the Oregon Improvement Company which now owned the King County coal mines, or many of them, and was therefore favorable

to Seattle; the other was interested in the Tacoma Land Company, and was favorable to Tacoma. Seattle people had realized when they sold their railroad and coal mines to Mr. Villard, that they were staking all on his success, as well as on his fidelity. They now felt that their situation was extremely perilous, as it indeed was. The people of Tacoma were correspondingly encouraged by the return of their friends to power, and now felt confident that the Cascade Division would not only soon be built, but that it would cross the mountains in such a way as to be of the greatest advantage to their city. In this expectation they were not disappointed.

The building of this Division was begun in 1884, but as the money necessary for it was raised only with difficulty, owing to the prevailing financial conditions, it advanced but slowly. It early became known that it would cross the mountains by the Stampede Pass, and not by the Snoqualmie, the Naches or the Cowlitz, each of which had been favored for a time by the engineers, and then abandoned. This crossing was more favorable to Tacoma than to Seattle, and yet much depended on which of the river courses the road should follow after it crossed the divide. If one of the northern streams was chosen, it would lead as directly to Seattle as Tacoma. If a more southerly route were taken, and particularly if connection should be made with the road already built to the coal mines at Wilkeson, Tacoma would alone be benefitted, for Seattle would get only a branch line if any.

So probable did it seem at first, and so certain did it soon appear that this was to be done, that the people of Seattle took up arms again, and renewed the battle where they had left it off soon after Villard had come into power, only in a far more vigorous and determined manner. Formerly

they had contended only to have so much of the lands withdrawn from sale or entry, for the company's benefit, restored to settlement as would not be acquired by building the Cascade branch. Now they demanded that so much of the grant as would have been acquired by building that branch, should be declared to have become forfeited, because the branch had not been built within the time specified. And they did not stop with mere declarations. They sent Judge William H. White to Washington to assist Delegate Brents in urging forfeiture, and the grant was attacked both in the Interior department and in Congress. Judge Thomas H. Brents of Walla Walla had represented the territory in Washington for nearly three terms—having succeeded Judge Jacobs in 1878—during which time he had done what could be done by a delegate, to hasten the building of the Cascade branch. His home people had been particularly interested in it, and had pressed it upon Mr. Villard's attention when he had visited them on different occasions after he came into power, but while he had assured them of his favorable intentions with regard to it, he had found too many other matters pressing for attention, and for money, to permit him to undertake it. But it soon became apparent that something must be done. Congress was not less unfriendly than the people. Judge Brents had prepared a bill confirming to the company all the lands covered by its original grant, except those to be earned by building the proposed line along the north bank of the Columbia, provided the construction of the Cascade Division should be begun at once, and at least one hundred miles of track laid each year until completed, but the bill was rejected by the committee, and never reached the house at all. While there was no question perhaps, that the lands along the lines already built were secured to

the company, the house was manifestly unwilling to extend the powers by which it might increase its holdings.

Forfeiture early became the one topic of absorbing interest among the people of the territory. It was the slogan of both parties in the contest for delegate in the campaign of 1884. The newspapers, both in Washington and Oregon, discussed it daily, and with increasing vigor and vehemence as time progressed. It was the principal, if not the only subject of interest at political meetings, and although both parties and all the candidates favored it, and were equally earnest in discussing it, Mr. Voorhees, the democratic candidate for delegate was elected over Armstrong the republican, by a majority of 148 votes in a total of 41,824. The vote was more than double that cast at the election two years earlier, when Judge Brents had defeated Judge Burke by a majority of 3,008 in a total of 19,496 votes.*

Admonished by the opposition thus manifested by the people and in Congress, the railroad company put forth its most vigorous efforts to extend its tracks to the Sound. But the depression in business circles continued, and money was still raised with difficulty. During 1884 grading was pushed from Pasco westward, but did not reach Yakima that year. In the year following work was begun on the western end, and was for a time pushed from both directions toward the pass, but so difficult did the directors find it to provide means, that at one time, the contractor, Nelson Bennett, was ordered to suspend work, and was left to raise money on his own credit to pay his men. By the end of the year Governor Squire reported that there was still a gap of eighty miles between the ends of the track, and by the

* Women voted for the first time in the territory this year, under the act of 1883.

close of 1886 the eastern extension had only reached Ellensburg.

While the people in the Yakima and Kittitas Valleys were glad to have the road built, they gave it no very hearty welcome. Some of them had settled there when they would have gone elsewhere had they not seen, or thought they saw, that the road would be built much earlier. There had been a notable increase in their number in 1884, when work on the division had begun at the Columbia, but it had progressed so slowly that they were getting discouraged and impatient. Many of them had constructed small irrigating ditches, which were already showing the wonderful results that were to follow the application of water to that fruitful soil. It seemed to them that the railroad was now coming to claim the lion's share of the wealth they had discovered or were creating, and was not disposed to help them very much with their work.

The Sound country and its cities were prosperous, although the prevailing depression in financial circles had in some degree lessened speculation and retarded building. The farmers in the valleys were rejoicing in bountiful crops, particularly of hops, although prices had not been as high as in 1882. Tacoma and Seattle had both grown prosperously. In the former a large hotel had been built, and the people were boasting that they had already shipped a cargo of wheat, the first from the Sound direct to Europe. Substantial buildings were going up along its principal streets, and its population was increasing steadily. Seattle had built its first street car line, and its people started another new railroad, the Seattle, Lake Shore and Eastern, in 1885, in which they had already interested enough eastern capital, with which, added to their

own, they were making promising progress in railroad building.

But Seattle was still without a railroad connection. The Puget Sound Shore line, although finished, was not operated. The rails extended in a continuous line from Seattle to their union with the short line built by the Northern Pacific to Stuck Junction, but the road had only been operated for one month after it was completed, and then trains had ceased to be run for some mysterious reason. People called it "the Orphan Road." The Northern Pacific officials gave various reasons for not using it, the principal one being that their charter gave no authority to operate a road they did not own. Farmers along the line began to be exasperated, because it furnished them no accommodation, and threatened to build their fences across the right of way, and even to tear up the tracks. To appease them a train was put on, but at the end of thirty days it was discontinued, and the tracks were again left to rust in idleness. But in 1885 the Canadian Pacific was nearing completion, and it was evident that the Northern must begin to look out for Seattle and the country north of it, or in the near future contend for business in that region with a strong competitor, and perhaps lose it. It was apparent too, that it must soon begin to operate the road in good faith or else lose it. People living along the line and beyond it were not disposed to be trifled with much longer. A public meeting was called at Kent, at which it was announced, some definite plan of action would be agreed upon. So serious did the situation seem that James McNaught, then general counsel of the Company, and some other of its prominent local officials were present. Several residents of Seattle who had taken an active part in the fight to get railroad connection for that city also attended.

McNaught made a conciliatory address, explaining in some detail, the difficulties the company had been contending with, but giving no definite assurance that anything better would be done than had been done. The other railroad officials said something, but nothing more definite or satisfactory, and then Judge Hanford took the floor and pointed out that the builders of the road whoever they were, had acquired the right of way for a certain purpose which they were not fulfilling. They had condemned part of it under the law which gave them a right to take property for a quasi public use. They had built a road on this right of way and now refused to use it. If they persisted in this refusal the law authorizing condemnation still remained on the statute book, and in his opinion, the original owners could again condemn it, and the rails and ties with it, for their own use, or the use of some other company, corporation or individual who would operate it according to the original intention.

This suggestion was received with so much favor by most of those present as to greatly alarm the railroad party apparently, and before the meeting adjourned a messenger appeared with a telegram, promising that the road would be put in operation as soon as arrangements could possibly be made for that purpose. This promise was kept, the operations of the road was soon resumed and never again discontinued.

But Seattle merchants still had reason to complain bitterly of the treatment they received. Goods could be shipped to them over the line only in carload lots. Vexatious delays were frequent, and still more vexatious extra charges were made upon various pretexts. The trains never made connections with those on the main line. It was always necessary for passengers to wait an hour or two in Tacoma,

whichever way they were going, and this was very irksome to Seattle people. As the railroad still controlled the boats on the Sound, they were equally dissatisfied with the way they were served by water, and at one time the merchants and other patrons of the line talked seriously of making an iron-bound agreement with the Canadian Pacific to turn all their business to it, as soon as it could be received.

Times were now improving. The East was prosperous again, and the company found it possible to sell bonds for building purposes as rapidly as money was required. Work was accordingly resumed on both ends of the line. In January 1886 the contract was let for driving the Cascade tunnel, the longest on the line. The one near Bozeman was 3,850 feet in length, that at Mullan 3,610 feet, but this was to be 9,850 feet, or nearly two miles long. Nelson Bennett, the contractor, undertook to push it through in eighteen months, but in order to begin work, he was forced to make a road from the end of the track at Ellensburg, to a point on the eastern side of the mountain where work was to begin, and send over it all the heavy machinery which the undertaking would require. This was done with no small difficulty. Among the materials to be transported were two locomotives and a number of flat cars, besides the heavy drills and other tools that would be required. There was scarcely a trail through the dense forest that covered the foot hills, and sides of the mountains, through and along which all this material must somehow be dragged to a point 2,845 feet above sea level, where the tunnel was to begin. In many places swamps were to be crossed, and in some there were deep gullies and ravines, and finally when the east portal was reached one engine, together with the cars, drills and other apparatus was to be hoisted over the mountain nearly 2,000 feet higher,

to the western side, so that work might begin at both ends at the same time. But all this was accomplished. In due time the drilling through the mountain wall was begun, and proceeded night and day until it was completed, as it was, eight days in advance of the time fixed in the contract.

While this work was progressing, grading and track laying was pushed from both directions, and when the tracks reached the pass they were carried over the ridge temporarily, by switchbacks, as at the Mullan and Bozeman tunnels, and the first train carried over in this manner reached the Sound, at Tacoma, July 3, 1887. Its arrival was made the occasion of much rejoicing, particularly in Tacoma, whose people felt that their city was now in fact what they had so long claimed it to be, the real terminus of a transcontinental railway. They celebrated the arrival of this first train, and the national anniversary, for three consecutive days. People from all parts of the territory, including not a few from Seattle, joined with them in commemorating an event which had so long been wanted and hoped for, and which was of so much importance to them all.

The relations of Seattle people, and all those in the lower Sound country, with the railroad were still far from satisfactory, and were to remain so for a considerable time, although within a few months after its completion an event occurred that gave them cause to hope for better things. In September 1887, Mr. Villard regained control, and although he did not again become president, he occupied a position of equal or even greater authority, as chairman of the board of directors. Seattle had always regarded him as her friend. Her people still believed that his other interest in their neighborhood, outside of the railroad, would impel him to place them on an even footing with Tacoma and

Portland, and in this they were not mistaken, although it was not until October 10, 1889 that the long hoped for order was issued, equalizing all rates save those on grain.

The territory now entered upon a period of phenomenal development. The influx of settlers had been steady for several years preceding, notwithstanding the unfavorable business conditions that prevailed from 1884 to 1886. The census taken every alternate year by the assessors, had shown a total population of 129,292 in 1885, and 143,699 in 1887; that of 1889 showed a total of 239,544 a gain of 85,875. The vote for state officers, cast at the election in October of the last named year, seemed to indicate that the increase had been even larger than the figures given. An unusually large proportion of these new arrivals settled in the towns, which led Governor Miles C. Moore, the last of the territorial governors, to remark in his final report, that "the growth of some of them, notably Spokane Falls, Seattle and Tacoma, is simply phenomenal, the population of each having apparently doubled within a single year. The most remarkable increase is in the county of King, which in 1887 had a population of 15,972, and in 1889, 40,788, an increase in two years of 24,816. During the same period, Pierce County shows an increase of 15,611, having now a total of 27,795; while Spokane County shows an increase of 13,885, having now a total of 25,200."

During these prosperous years the competition between the rapidly growing towns, particularly Seattle and Tacoma, grew more and more intense and interesting. Tacoma boasted of its new hotel, the best on the coast north of San Francisco in that day; the headquarters' building of the railroad company; its wheat warehouses, from which steadily and rapidly increasing shipments were made year

by year to the markets of the old world; and of its tea ships, which in their season brought cargoes of tea direct to its wharves from China and Japan. Seattle was equally proud of its lines of steamers to San Francisco and coast points; the new railroad lines that were extending eastward toward the mountains, and northward to a connection with the Canadian Pacific, and of its splendid lakes that were some day to be connected with the ocean by canal, giving the ships of the world a safe harbor in fresh water. Both towns had large lumber mills, and coal shipments from both were already large and rapidly growing. Both were lighted by electricity. Seattle had two lines of cable railroad, while Tacoma as yet had none. Both were, or soon would be experimenting with electric cars. Tacoma had one flour mill, that was shipping its product to the Orient, while Seattle seemed about to have extensive iron works established near it, and its people confidently expected that the deposits of iron ores, which had long been known to exist in the neighborhood of the Snoqualmie Pass and on the Skagit River, not to mention the deposits of bog ore found in many places, would soon be developed, and made the basis of extensive manufactures of iron and steel. Smelting works had already been started by San Francisco capitalists at Irondale near Port Townsend, where bog ores, mixed with other ores from Texada Island in the Gulf of Georgia, had been experimented with successfully so far as the quality of product was concerned.

Port Townsend and the cities on Bellingham Bay—not yet united into one under the name of Bellingham—were partaking of the general prosperity. People in the former were living in confident anticipation that it would yet be made the terminus of a railroad. From the latter P. B.

Cornwall and his associates were building one railroad toward the Northeast, while another would at no very distant day connect them with Vancouver, and still another, known as the Fairhaven and Southern, was supposed to be what it ultimately became, a part of the Great Northern, whose world conquering builder was rapidly extending it toward the coast.

The prospect of competition with this new line at no very distant day, together with the efforts of the Union Pacific—which now controlled and had made connection with the Oregon Railway and Navigation Company's lines—to extend to the Sound, and so command a share in its vast lumber and coal trade, stirred the Northern Pacific authorities to renewed activity. Branches were built from Tacoma through Olympia, and from Centralia to Gray's Harbor, and from Chehalis, on the original line from the Columbia to the Sound, to Shoalwater Bay, and new life was infused into the settlements in those regions. The Seattle, Lake Shore and Eastern had built twenty-four miles eastwardly from Seattle, on its Snoqualmie division, and twenty miles toward the north, while forty-five miles of track on its eastern division had been laid from Spokane westwardly. Everett and Anacortes had not yet been established, but soon would be.

According to the report of Governor Moore, in 1889 the Northern Pacific was operating 807 miles of road in the territory, and the Oregon Railway and Navigation Company 389 miles. A network of short lines known as the Hunt System was growing up in Walla Walla County, and already comprised eighty-four miles of track. The extension of the Northern Pacific to Gray's Harbor and Seattle, together with the Columbia and Puget Sound tracks, and a short line known as the Vancouver, Klikitat and Yakima

road, on the Columbia, and the narrow gauge lines, made a total of 1,475 miles of tracks in the territory, when it became a state.

Vancouver, the ancient seat of Dr. John McLoughlin when he ruled there in medieval state, and with baronial authority, was still without direct railroad connection, and yet it was partaking in some degree in the general prosperity. It was still military headquarters, as it had been in Harney's time, and from the river bank where McLoughlin and Douglass, in their time, had been wont to watch the Indian flotillas sweeping up and down the lordly stream, its people could now see the stately ships or mighty steamers come and go to and from all parts of the civilized world. The old order of things had passed away; a new age, a new people and a new order of things, much better than the old, though as yet only imperfectly appreciated, had come, that was to make all the past seem fruitless by comparison.

CHAPTER LVII.

THE ANTI-CHINESE MOVEMENT.

OPPPOSITION to the Chinese began early in the territory. The legislature on January 23, 1864 passed an act imposing a per capita tax of \$24 a year on each Chinaman, to be paid in quarterly payments of \$6 each. This tax was reduced to \$16 per year in 1866. The sheriffs were charged with the duty of collecting it, and they were authorized to exact payment by seizing and selling the goods of delinquents when necessary.

But rigorous as this tax was it did not prevent Chinese laborers from coming to the territory in considerable numbers and the census of 1885 showed that there were 3,276 of them engaged in various occupations within its borders. There was at that time no very serious opposition to them. Work was abundant and everybody was employed who cared for employment. A few agitators and mischief-makers were protesting, but they secured little attention and few followers, until the completion of the Canadian Pacific Railroad, threw many men out of employment, a considerable portion of whom drifted across the line to Seattle, Tacoma and other towns along the Sound.

From that time forward the agitators and mischief-makers found it easier to get the attention of the multitude than they had done. The idle always have time to listen, and are easily persuaded that somebody other than themselves is responsible for their idleness. Their passions are easily inflamed; it is particularly easy to arouse in them a hatred for, and encourage an opposition to an alien race. The opposition to the Chinese in California was well known all along the coast. Every sand-lot orator in San Francisco was as notorious in the cities of Washington and Oregon as in those of California, and some of their associates and co-workers had drifted to the Sound cities, and were aspiring

to imitate their example. Strangely enough there were persons of responsibility and respectability who readily joined with these in stirring up a needless trouble. There were few residents of the territory, if any, who were anxious to have the Chinese remain. Some of the coal mining companies, a few of the mills, and a few private individuals had employed them, when it had been difficult to secure white labor, but now that that difficulty was past, most of them were glad to secure white laborers again. A few had Chinese house servants who had proved so satisfactory that they wished to retain them, but these were not many. The Chinamen therefore were left with few to defend them, except those who were not willing to see them driven out by violence.

The agitation which began in Seattle and Tacoma in the summer of 1885, had gradually spread to other towns and villages in the western part of the territory, and to the coal mines in King County, in a few of which Chinamen were working, when on September 4th, the people at Rock Springs, Wyoming, drove the Chinamen out of the coal mines at that place, killing eleven of them. News of this outrage was applauded by the agitators, and those who were accustomed to listen to them. It spread quickly to the smaller towns, and was received with peculiar interest at the coal mines and the hop fields where some growers, who had been unable to procure the usual number of Indians to gather their crop, were bringing in Chinamen for the purpose. Among the latter were the Wold Brothers, who had large yards in the Squak Valley. On the afternoon of September 5th a party of thirty-five Chinamen, arrived at their yards, and two nights later their camp was attacked by five white men and two Indians, who fired into the tents where the Chinamen

were sleeping, and killed three of them and wounded three others. The rest fled to the woods and escaped.

The perpetrators of this cowardly attack were easily traced, and within a few days were arrested and taken to the jail at Seattle. In due time they were indicted for murder, but such was the state of public feeling at the time that they were not convicted. They were also indicted for riot, and on this charge one of the number was convicted and a trifling penalty imposed, but an appeal was taken and the case was not decided until long afterwards.

On the night of September 11th, only four days after the attack on the hop-pickers in the Squak Valley, the quarters occupied by the Chinese coal miners at Coal Creek were raided by ten or fifteen masked men, and burned. Some of the inmates were roughly used. Guns and pistols were fired to frighten the Chinamen, but none of them were killed. They were however, told that they must forthwith leave the country.

These outrages were openly applauded by the lawless element, as that at Rock Springs had been. The perpetrators of them were praised as men of spirit, by the street orators in both Tacoma and Seattle, who were every day finding it easier to get attention. Street meetings were held more frequently than ever. Parades were organized in which tableaux, showing women in chains, and children supposed to be starving as a result of competition with cheap labor were exhibited, while numbers of banners or transparencies with denunciatory inscriptions were displayed, all of which amused or excited the idle, and alarmed the timid, disturbed and unsettled business and made conditions, which were bad enough at the beginning, even worse than they otherwise would have been.

The agitation was accomplishing the purpose for which it had declaredly been started, in what should have been a satisfactory way, if those who were directing and stimulating it had had no other purpose in view. Many of the Chinamen were voluntarily leaving their employment and the country, as fast as they could get the money they had earned, and secure passage to British Columbia or California. The coal mine owners and mill owners were discharging some, and arranging to discharge others, as rapidly as they could fill their places. The employers of Chinese servants in some cases were getting rid of them. The Chinese merchants, contractors and owners of laundries alone, or almost alone, seemed to be making no preparation to leave.

But the agitation was kept going just as vigorously as if nothing had yet been accomplished. "An anti-Chinese Congress" as it was designated by those who arranged it, was summoned to meet in Seattle September 28th, and self-appointed members came from all directions to attend its deliberations. All the labor organizations were represented. The mayor of Tacoma presided. Most of the more active agitators attended and made speeches. A long series of high-sounding resolutions was adopted, their final declaration being that all Chinese must leave Western Washington by or before November 15th. Following this so-called "Congress," a mass meeting was held at Tacoma, in which the resolutions it had adopted and the edict it had proclaimed were approved, and a committee of fifteen was appointed to see that the edict was enforced. This committee promptly served notice on all the Chinese residents of the place that they must leave within thirty days. A similar committee was appointed in Seattle only a few days later.

By this time the Chinese consul at San Francisco had become alarmed for the safety of his countrymen in the Sound country, and had written Governor Squire to ask whether the local authorities could and would give them protection under the law and the treaty, in case the agitators should attempt to put their threats into execution. The governor had applied to the sheriffs for information as to the exact condition of affairs, and asked whether they were confident of their ability to preserve order. Nearly all replied confidently. John H. McGraw, afterwards governor of the state, but who was at that time sheriff of King County, was "firmly convinced" that he would be able "to protect the lives and property of all persons in the county, without the intervention of the military arm of the government." Nineteen-twentieths of the able bodied men could be depended upon, as he thought, as a *posse comitatus*, in case the lawless and viciously inclined should make any open attack. Sheriff Byrd thought there had been no disposition shown to harm the Chinamen in Tacoma, but he was not satisfied that the town would escape trouble should they refuse to go by the 1st of November. A large number of men were taking an active part in the expulsion movement, and should they meet with resistance from the Chinese, trouble would be sure to follow.

But he was sure that a sufficient number of "good substantial citizens among the business men of Tacoma" would stand willing and ready to assist him in preserving peace, and he would immediately make a thorough canvass of the city to ascertain how many reliable men he could command in case of emergency. At Whatcom there were but few Chinese, and Sheriff DeLorimer replied that they would soon be gone, and they would go in peace.

Having received these assurances the governor wrote the consul that in his opinion the sheriffs in the principal centers would be so strongly supported by the law-abiding citizens, that they would be able to repress all disorders. "Of course it is possible," he said, "that an outrage might be committed before the authorities could prevent it, and in the excited state of public feeling, I have privately advised Chinese residents who have waited upon me, that I thought the best policy for them to pursue is to quietly withdraw, if they can do so, until the present period of excitement has passed away."

The governor had also communicated with the authorities at Washington, and for some days following he kept them thoroughly advised. The consul at San Francisco had also written to the Chinese minister in Washington, and he in turn had applied to the national administration to guarantee the protection of his countrymen. Warned by what had happened at Rock Springs, President Cleveland and his cabinet were anxious to prevent, if possible, a similar outbreak on the Sound, and yet were unwilling to assert the national authority, so long as the territorial and county officials felt confident that they would be able to control the situation. They however, stood ready to send troops from Fort Vancouver to any one of the Sound cities, as soon as advised that it would be necessary, or even urgently desirable.

In reply to inquiries from the secretary of the interior, which were prompted no doubt by the solicitation of the Chinese minister, the governor again communicated with the sheriffs and the municipal authorities, particularly in Pierce and King Counties, notifying them of the anxiety felt in Washington and San Francisco about the situation in their

neighborhoods, and asking for more definite information that would enable him to keep the president, and others in authority, thoroughly advised as to the progress of events. To this the sheriff of Pierce County replied that the Knights of Labor in the city of Tacoma, had offered themselves and their services as deputy sheriffs, and he was swearing them in as rapidly as they could be called to his office. He had also sworn in fifty deputies in the Puyallup Valley, and "two hundred good substantial citizens of Tacoma had already offered their services," and he would swear them in at once. He had no doubt he would be able to procure all the assistance necessary, and he assured the governor "that peace will and can be preserved by the civil authorities of our county." On the same day General Sprague, chairman of the Chamber of Commerce in Tacoma, wrote that while many were willing to utter incendiary language to frighten the Chinese away, they would not countenance unlawful acts. "The sheriff," he said, "is both efficient and vigilant, and before the 1st of November, he will have a force of about three hundred reliable deputies sworn in, and be ready for any emergency." This letter was accompanied by another, signed by a large number of the most prominent business men of the town, in which they "beg respectfully to say, that in our opinion there will be no occasion whatever for the presence of troops, or the employment of an organized force under the sheriff, and that the sheriff will be able to preserve the peace and enforce the laws." In this he would be supported by the citizens generally. "We hold ourselves responsible for these assurances," this letter concluded.

On October 27th, the governor visited Tacoma and addressed a mass meeting of its people, and on the following day received a letter from a prominent resident of that city,

assuring him that "there is not a man in Tacoma who does not fully recognize the difficulty of the position in which you are placed by the prevailing agitation, and the patient good sense with which you have up to the present, met and surmounted that difficulty. The reaction of sentiment in your favor is quite marked. . . . Your visit has set matters right, and there will be no further misunderstanding. Our Chinese are still going, and there will probably be very few left here at the end of this week." On the 29th, the governor was invited to attend an anti-Chinese meeting in Tacoma, but being unable to be present he sent a letter saying, that while he sympathized with the American workingmen in their efforts to have the Chinese peacefully go, "the condition distinctly is peace; maintain law and order, and the victory will be yours."

It was evident enough from all this and from other information received by the governor, that the people of Tacoma were determined that the Chinese should go. Many of them seem to have hoped that they would be allowed to go peaceably, but the disturbing element was thoroughly resolved that they should go, and resolved to accelerate their going, in case there was the slightest indication that all would not leave before the time fixed by the declaration of the "anti-Chinese Congress." It soon became apparent that the sheriff and his deputies were quite in accord with this sentiment.

The plans of the disturbing element had been carefully laid, and while the sheriff was assuring the governor of his ability to preserve the peace, and the law-abiding portion of the community was hopeful, if not confident, that he would do so, the agitators and their followers were prepared for action. On the morning of November 3d, they assembled to

the number of several hundred, and marched to the Chinese quarter, which was located on the waterfront near the Northern Pacific freight yards. They had a number of wagons with them, and as soon as the houses of the Chinamen were reached, their goods were thrown into them, while their owners were assembled in their neighborhood to be marched out of town. The day was cold and rainy. The Chinamen were greatly excited, but none of them offered any resistance. An equal number of children could hardly have been managed more easily. Several of them were old and decrepit; a few were sick, but these were forced out of such shelter as they had, and placed on the wagons with their goods. The stores and places of business of such as were engaged in trade, were not disturbed at the time, but as soon as all the houses had been vacated, the evicted celestials, escorted by their tormentors, took up their line of march through the town, and out along Centre Street to Lake View, where the wagons were unceremoniously unloaded, and the owners of such goods as they contained were left on the bleak prairie, to make themselves as comfortable as they might until the following day, and it was reported that two of the sick died meantime from exposure.

On the day following this "peaceable expulsion," as those who had planned and perpetrated it chose to call it, one of the most active promoters of the trouble wrote the governor as follows: "The Chinamen are no more in Tacoma, and the trouble over them is virtually at an end. Yesterday they were peaceably escorted out of town, and put upon the freight and passenger trains this morning, the price asked for a special train being too exorbitant.

"The twenty-five or thirty Chinamen who were permitted to remain a day for the purposes of packing and shipping

store goods will leave tomorrow morning. . . . It affords me genuine delight to recall my assurances to you at Olympia and here, that the Chinese would be got out of Tacoma without any trouble, and point to the denouement in confirmation. Those who predicted differently were partly swayed by their wishes, and greatly underrated the intelligence, character and resolution of the men who worked up the movement, and who were flippantly called 'rabble' by their moral and intellectual inferiors."

While this letter was being written, or soon thereafter, the superior moral and intellectual people referred to were burning the buildings lately occupied by the Chinamen on the water front, and two days later they burned the Chinese stores and residences built on ground leased from the Northern Pacific Railroad Company, some of which appear to have still contained goods of considerable value.

No steps were taken to punish the men who had participated in this riotous proceeding, and they would have been ineffectual had the attempt been made. This encouraged and emboldened the lawless, and turbulent element elsewhere, and forcible, heretofore called "peaceful" expulsions continued in the smaller towns of Pierce, King, Kitsap, Snohomish, Skagit and Whatcom Counties, until most of the Chinese were driven away.

While these proceedings were taking place in Tacoma, the governor was advised of what was going on by numerous telegrams from Chinese merchants and others, who appealed to him for assistance. But without the sheriff's support he could do nothing at the time, and it was now apparent, if it had not been so before, that the sheriff was in sympathy with the expulsionists. So far as Tacoma was concerned, all had been done that could be done, except to burn the

buildings and goods that remained. But it was desirable, if possible, to prevent similar proceedings in other places, and the governor accordingly issued a proclamation warning all persons against participating in any riot or breach of the peace, and particularly against inciting others to riot, and calling upon all sheriffs and law-abiding citizens generally, to secure the Chinese against assault. The proclamation also contained an appeal to all good citizens to, "array yourselves on the side of the law. This is a time in the history of the territory for an intelligent, law-abiding and prosperous community, who love their country and their homes, who are blessed with the boundless resources of forest, field and mine, and who aspire to become a great and self-governing state, to assert their power of self-control and self-preservation, as against a spirit of lawlessness which is destructive alike to immigration, to labor and to capital. If you do not protect yourselves you have only to look to the step beyond; which is, simply, the fate of Wyoming and the speedy interference of the United States troops."

In Seattle the agitation had been carried on during September and October as noisily as in Tacoma, but it did not have the secret or open encouragement of the sheriff as it had in Pierce County, and the law-abiding part of the community took a bolder stand in opposition to it. In order to show the lawless element that it would not be permitted to resort to violence without opposition, a public meeting was called, which was addressed by several speakers, all of whom favored the maintenance of the law, and the preservation of public order. C. H. Hanford, then assistant prosecuting attorney, after outlining the dangers of the situation, as he saw it, suggested that the most effective service law-abiding citizens could render at the time, would be by declaring their

purpose to sustain the law, and by pledging themselves to sustain the sheriff in maintaining order. The response to this was prompt and most encouraging, as a large majority of those present rose to their feet and offered to be sworn in as deputies at once. Sheriff McGraw was present and accepted the service tendered. The oath was administered to several hundred resolute men, and the sheriff was then provided with a posse that he could rely upon as subject to his call when needed.

This meeting was held at the Opera house, and the law and order party was from that time forth known as "the Opera House Party." Its moral effect was good, but it did not put a stop to the work of the turbulent element. A grand jury was in session at the time, and in his charge to it Chief Justice Greene had carefully pointed out its duty with regard to persons who might be conspiring to violate the laws. The Chinese who were in this country were entitled to the protection of the laws, and all privileges and immunities under them, equally with all white persons. This protection was pledged to them by solemn treaty stipulations, and any combination whatever, for the purpose of depriving them of this protection, was conspiracy and punishable under the statute.

This charge was published, and was notice to the noisy element that its proceedings were likely to be inquired into if any violence was permitted. It also knew that the sheriff would not be unsupported in case he was required to act, and that he would act if there was need to do so, and this knowledge doubtless helped largely to restrain Seattle's committee of fifteen from immediately following the example set by the Tacoma committee.

Another public meeting was held by the citizens' party on the evening of the day following the publication of the governor's proclamation, and although the call for it had been hastily issued, a large number of the most prominent residents and business men of the city were present. Some of the principal agitators were also there and were listened to patiently. All were willing to have the Chinese go. A committee had hastily drawn up a plan for getting rid of them, in a peaceful and lawful way, which it was hoped would be acceptable to everybody, but a majority of those present were resolved to prevent their expulsion by force if there should be need to do so. Several short but very forcible speeches were made by J. C. Haines, Judge Lewis, and by two speakers representing the turbulent element, who were loudly cheered by their sympathizers who were present. Judge Thomas Burke made the most impassioned speech of the evening. He had long been known as the friend of the oppressed against the oppressor, and up to this time he had been a general favorite among laboring people, whose cause he had invariably championed, when there had been occasion. But on this occasion they were not in sympathy with him, or fancied they were not. He declared himself as unalterably opposed to riot, at all times, and particularly at the present time when there was no need or cause for it. He would stand for the rule of law, and no other, at all times and in all places. He denounced the proceeding of the mob at Tacoma, and declared that he would rather live under the rule of the Autocrat of all the Russias, than under that of a dozen or twenty lawless men, who were the worst kind of tyrants.

This declaration was received with hisses and jeers by the noisy element present, and one of their leaders appealed to

them to listen respectfully to what the judge had to say. This offer of assistance the judge resented, coming as it did from one who had scarcely been known to a dozen people in the city before the trouble began. "I need no one to intercede with a Seattle audience for me," he said. "I know these people, and they will hear me if they hate me. They have no reason to hate me, for I have always been their friend. . . . I am a free man and will preserve my liberty. The question is on the road to a solution, but in order to hasten it you cannot afford to violate the eternal laws of justice. The Chinese want to go, but don't like to be robbed or murdered. Let the working men of Seattle show to the world that the great principle of justice prevails here. Do not be unjust to a dog or a horse. The Chinamen are here under solemn treaty stipulations, but they are going. It is to our interest to see them go, but not to our interest, but just the opposite, to see one drop of innocent blood spilled, or a single breach of the law."

Before the meeting closed John Leary reported for the committee of which he was chairman, that the Chinese had agreed to go, and were preparing to do so, but that some of them had a large amount of property which they wished to dispose of, that of one firm being valued at \$135,000, while the city owed another \$30,000. These wanted to have time to dispose of what they had, and make their collections, and it ought to be granted. As he understood matters the opposition were willing that a reasonable time should be granted for this purpose.

It was hoped that this report, and the evidence given by the meeting that no one was opposing the removal of the Chinese by any lawful means, would pacify the excited element, and that quiet would soon be restored, but the hope

JOHN LEARY.

Born at St. Johns, New Brunswick, in 1836, and during his earlier years he was extensively engaged in the manufacture of lumber, and also a dealer in general merchandise at St. Johns. He came to the coast in 1869 and settled in Seattle. In 1871 he was admitted to the bar and was engaged in active practice until 1883, when he retired. In 1884 he was mayor of the city. In 1872 he took a leading part in the explorations of the coal measures in King County, and in opening and developing some of its principal mines. During the remainder of his life he was actively connected with many of the most important enterprises having for their object the development of Seattle and the State.

John Leary

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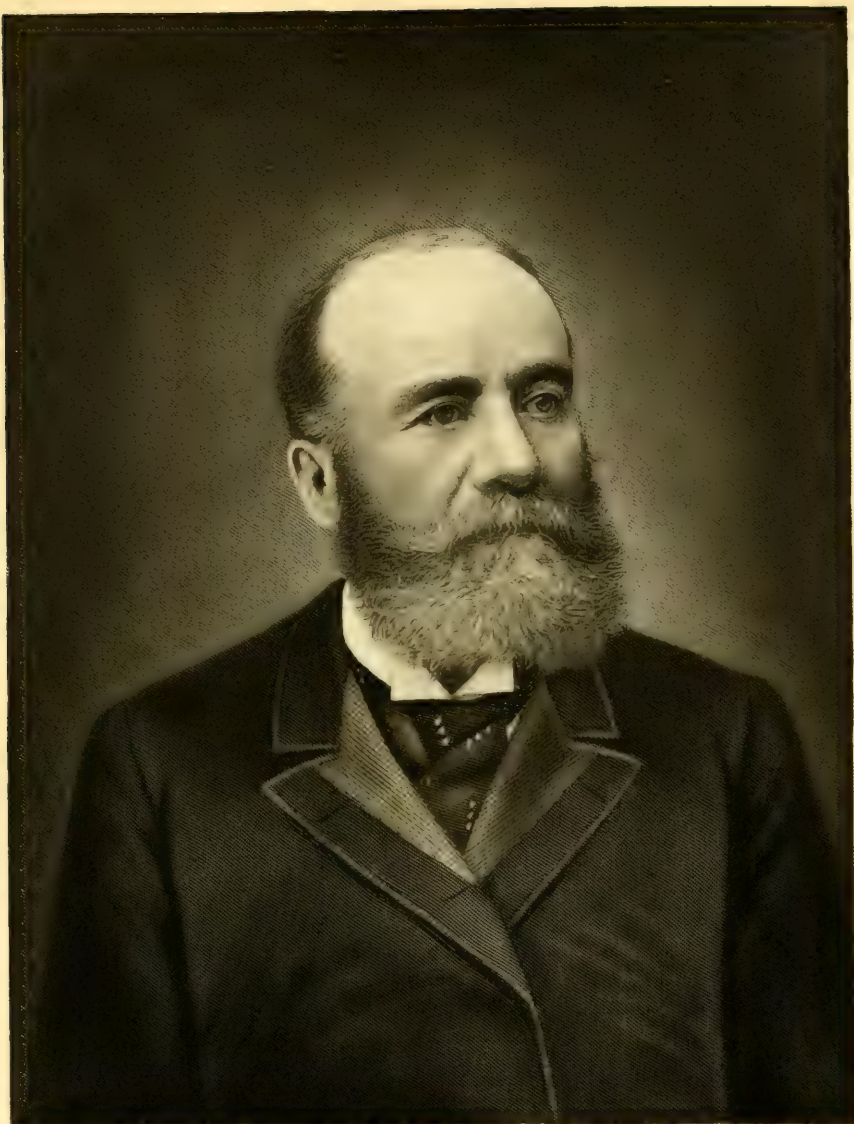
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John Leary

was not realized. Judge Burke's speech, as it was reported from mouth to mouth, increased the excitement. The estimation in which he had been held by those whom he had so uniformly befriended was, for the time being, completely changed. He was no longer popular with the crowd; instead of praises, and expressions of confidence and esteem, the bitterest denunciations were heard. The peaceable part of the community felt alarmed for his safety, but he continued to go about his business as usual, and made no effort to answer his detractors.

During the next two days a home guard was organized under command of Captain George Kinnear, and Governor Squire was urgently advised by telegraph, to have a detachment of Federal troops sent to the city at the earliest moment. "Delay is criminal," said Sheriff McGraw; "Quickest action possible is necessary" was Judge Greene's dispatch, while Ex-Governor Ferry telegraphed, "In my opinion troops should be sent here instanter." Thus urged the governor sent equally urgent appeals to Washington, and on the 8th, five days after the Chinese had been driven out of Tacoma, General Gibbon arrived from Vancouver with three hundred and fifty soldiers, and took charge of the city. In the presence of this force the riotous element quickly dispersed. The troops remained only nine days and then returned to their barracks on the Columbia.

For the time being the agitation seemed to be at an end. The city was as orderly as it had ever been. Excited crowds were nowhere seen on the streets, and the agitators had apparently given up the contest. It could hardly be claimed, in fact, that there was further need for a contest. Chinamen were no longer employed in the mills, mines, factories or by the railroad, and the number of house servants and

common laborers had been greatly reduced. All this had been accomplished without violation of law, and all classes were seemingly satisfied.

During November fifteen of the most violent among the agitators were indicted, under the so-called Ku-Klux act, upon a charge of conspiracy to deprive the Chinamen of the equal protection of the laws. Their trial consumed eleven days. All the accused testified in their own defense, and avowed that no act of violence, breach of the peace or unlawful act had been contemplated by them, and that none would have been committed or countenanced. The contrary could not be proved and their acquittal followed.

But the excitement was not yet over. The committee of fifteen were envious of the work done by the Tacoma committee apparently, and resolved if possible to emulate it. But the experience of some of their number with the law, and the certainty that Federal troops would be sent to suppress disorder if any occurred, made them cautious. They accordingly worked more secretly and bided their time.

The opportunity they waited for seemed to have arrived on Saturday, February 6th, when the Steamer Queen of the Pacific was lying at her dock on the waterfront, preparing to sail for San Francisco on the following day. That evening a meeting was quietly held in a part of the city where the anti-Chinese sentiment was strongest, at which much was said about the unsanitary condition of the Chinese quarter, and the city ordinance requiring a certain fixed amount of air space in sleeping rooms, in proportion to the number of occupants. It was suggested that the committee of fifteen should inspect the Chinese houses on the following morning, and ascertain whether this ordinance was properly regarded. Of course none of those present cared how much or how

little air space a sleeping Chinaman would be content with, nor did they care specially about the enforcement of the ordinance in Chinatown. If they had they would have appealed to the constituted authorities to enforce it. What was wanted was a legal pretext for what they were about to do, and this was fixed upon.

Accordingly on the following morning early the committee, followed by a large number of their supporters, went to the Chinese quarter with wagons, and while some of them made inquiries at each house about the number of cubic feet of air per occupant they furnished, others invaded the premises and carried the goods they contained to the wagons. The Chinamen made no attempt at resistance—they knew it would be useless to do so. The police did nothing to stop what was going on, but rather gave it countenance by making no protest when demands were made upon the Chinamen to open their doors.

As soon as Sheriff McGraw was apprised of what was going on he hurried to the scene of action and commanded the crowd to disperse, but it only laughed and jeered at him and continued its work. He summoned a few of the bystanders, whom he knew and thought he could rely upon, to his assistance, and with their help attempted to put a stop to the work of eviction, but the crowd was too numerous and too determined for his small posse, and as soon as he stopped work at one place it was begun at another. Finally the fire bells were rung as a signal to the home guards to assemble, and they soon appeared, followed a little later by the two companies of local militia.

But before this force could be assembled and effectively used about three hundred and fifty Chinamen, and their effects, had been driven or carried to the ocean dock, where

an immense crowd had assembled, some of whom opposed and some encouraged the eviction. Here proceedings were checked for a time by the refusal of the captain to receive any Chinamen on board unless their fares were paid. This was seemingly an unlooked for difficulty, but hats were passed and a collection taken up by which nearly a hundred were provided with tickets, and they were allowed to go on board.

While this was going on inquiry had been made among the frightened Chinamen by a few men who were determined that the law should not be violated, if it were possible to prevent it, and it was ascertained that while many of them were willing to leave, some did not wish to do so, and on their application a writ of habeas corpus was issued by Judge Greene, and served on the captain, commanding him to bring the Chinamen on his ship into court next morning at 8 o'clock, for a hearing.

All proceedings were thus checked temporarily. The difficulty now was to protect the Chinamen from violence and prevent a riot, and this promised to be no easy matter. The streets were filled with excited people, large numbers of whom had hurried to town from all parts of the surrounding country, as the news had spread that the war on the Chinese had begun again. Among these were many turbulent characters who had no interest in the welfare of the city, and would have been glad to see it at the mercy of a mob. These were all opposed to the Chinese, and joined loudly in denouncing the officers of the law and all others who were not encouraging riotous proceedings.

Toward evening matters quieted down considerably. The streets were patrolled by the militia, and the soldiers not on duty were held at their several quarters ready for service. The authorities spent the night in preparing to resist any

violence on the morrow. Governor Squire telegraphed to General Gibbon that a serious conflict between the civil authorities and the mob was probable, and requested that troops be sent at once from Port Townsend. But the general could not act without authority from Washington and so replied. A message was then sent to the president, fully advising him as to the troubled condition of affairs and urging prompt intervention. Judge Greene also telegraphed the president that in his opinion the occasion was one requiring the suspension of the writ of habeas corpus, and a declaration of martial law. If the governor could enforce martial law, which he doubted, the situation might be controlled by the courts and the militia without bloodshed, and without the aid of the regular army. The case was one that required "the sudden supervision of a strong governmental power."

About midnight an attempt was made to put some Chinese on a train, which was to leave at 4 a. m. and run them off to Portland, but the train was guarded by the military, and was sent out ahead of time. About the same time a company of Home Guards was sent to the dock, where an anti-Chinese committee was watching the Chinamen, and drove them away. Members of the guard were stationed at all the approaches to the dock to prevent a return of the agitators, and after that all was peaceable till morning.

During the night warrants had been prepared for some of the ringleaders and eight of them were arrested next morning and taken to jail. A prompt hearing was given them, bail was furnished and they were released.

Then at 8 o'clock Sheriff McGraw, with an escort of the Home Guards and the two militia companies, brought the Chinamen, eight-five in number, into court, which was then held in the old city hall, at Third Avenue and Yesler Way.

The agitators were taken by surprise, and the crowd in the streets and about the courthouse, at first was not very large, but it steadily increased, and the streets about the building were soon thronged with an angry mob, but no attempts at interference were made, as the crowd was held back from the courthouse by armed guards.

Arrived in the court room Judge Greene explained to the Chinamen that while the people wished them to go, they were, under the law, entitled to remain if they wished to do so, and they would be protected in doing so. Each Chinaman was then asked by name, whether he wished to go or remain, and all but sixteen of the eighty-five declared that they wished to go. This closed the inquiry and the party was escorted back to the ship by the sheriff's guard. The trip was made without serious incident, and when the dock was reached all that wished to do so went on board, their fare having been paid by the subscription, but when 196 had been received Capt. Alexander announced that he could not legally take any more. This left about 100 on the dock, whose fares had been collected and who wished to go. After considerable discussion it was agreed that they should be taken by the next steamer, but as this would not sail for several days, and as the Chinamen could not be held on the dock meantime, it was resolved to escort them back to the quarters from which they had been driven the day previous.

This was certain to be both a difficult and dangerous undertaking. The sheriff had only the Home Guards, a small company numbering not more than forty men, and a smaller company of cadets from the university to assist him, but putting the guards in advance and the cadets in rear, with the trembling celestials between them, the return march was begun up Main Street toward First Avenue. The

street was thronged but not crowded, but it soon became apparent that the crowd was assembling from all directions. It was not generally known, nor was it possible to make it known, that an arrangement had been made to send the people under guard, out of the city by the next steamer, and that they were only being returned to their quarters temporarily, because there was no other place where they could stay. The crowd seemed to think they were being returned to the place from which it had driven them, to remain there. Consequently as the march proceeded the crowd rapidly became larger and uglier. When First Avenue was reached it was found to be packed with an excited multitude for several squares in either direction. Main Street beyond it was equally crowded. All were shouting and many were in a state bordering on frenzy.

By the time the advance of the guards had reached the middle of First Avenue, it was necessary to push this howling mass from their front, in order to advance, and at the East line of the street some of the crowd pressed through the line and turned the Chinamen back, but the cadets were behind them, preventing their retreat, and so they could only march around in a circle like so many frightened sheep. It was impossible to move them forward, and so a halt was called and a line of guards formed across the streets, making a sort of square within which were the Chinese who were now so thoroughly frightened as to be helpless. There were several old soldiers among the guards, who had seen danger before, and all acted with great coolness. At the order given their guns were loaded with ball cartridges, but no demonstration was made about using them. Sheriff McGraw marched up and down in front of the line, commanding the crowd to disperse, and warning everybody not to interfere with the officers

of the law in the discharge of their sworn duty, but the crowd only jeered at and defied him. Some of the noisier members now urged the other to make a rush on the guards and disarm them, but a mob is not easily moved to united action until success is certain. Then it becomes furiously bold. It was so in this case. It was not until the guards had held their position for some seconds—perhaps minutes, that a few of the bolder members of the mob gained courage to make something like a rush. Even then it was not a united effort, made all along the line, but furtive attacks made in only one or two places. One of the first of these was directed at E. M. Carr, afterwards brigadier general of militia, but then only a private in the Home Guard. It was a most unfortunate selection for those who made it, for Carr was stoutly built and as courageous as strong. He disposed of one or two of the first who approached him, with his fist, but when others joined in the attack he clubbed his rifle and laid the nearest rioter at full length along the street. This discouraged others in the neighborhood and for a time Carr was left alone.

While he was thus engaged the attack became more general along the line, and some of the guards, no one knows how many, began firing. No order to fire was given, but the rioters were rapidly becoming so aggressive, that the guards or some of them, apparently believed they must use their guns or be overpowered. At the first fire one of the noisiest and most aggressive rioters, a man named Stewart, fell mortally wounded, and several others were hurt. Stewart was a large powerfully built man and, although mortally wounded tried again and again to rise, at the same time cursing the guards and calling upon the mob to attack them. But they could not be encouraged to do so, and while they delayed the

two militia companies arrived, and thus reënforced the guards were able to hold their ground until the mob gradually dispersed and permitted them to escort the Chinamen to their quarters. But this was not done until nearly an hour later, during most of which time the soldiers stood with their rifles cocked and ready to fire at the first indication of an attack.

During the shooting a charge of buckshot was fired from the west end of the line into the side of the New England Hotel, at the northwest corner of First Avenue and Main Street, tearing a hole nearly as large as the crown of a man's hat in the clapboards. Judge Burke held a place with a double-barrelled shotgun in this part of the line, and it was for a long time charged that he fired the shot that made the hole, though it was afterwards proved that his gun was not discharged during the fighting. But somebody drew a mark around the hole, and labeled it "Burke's mark," and it remained there for a long time afterwards.

The man Stewart seems to have had no part in the agitation, and no relations with the agitators, until he appeared in the mob on First Avenue on the day he was wounded. He was not a resident of Seattle, but had come to town that morning to see the excitement, and like one who "passeth by and meddleth with strife not his own," he had fallen into trouble from which there was no escape. He and the others who had been wounded were carried to express wagons, by which they were taken to a hospital. Stewart died on the following day, but all the others recovered.

Finding that the guards would shoot, and shoot to kill, the rioters could not again get up courage to make a second attack, but they remained for a long time to hurl impotent abuse at the militia, the guards and the Chinese. Then some of them bethought themselves to invoke the law in their

own behalf, and warrants were sworn out for Judge Burke, Rev. L. A. Banks, E. M. Carr, Frank Hanford and David H. Webster, on a charge of shooting with intent to kill. The intention was to accuse C. H. Hanford, who was then assistant United States attorney, and had been among the foremost in upholding the law from the beginning of the agitation. He had been detained at the wharf in arranging some matter with Captain Alexander in regard to the Chinamen he had already taken on board, and did not reach First Avenue until the shooting was over. He then, at the sheriff's solicitation, did what he could with others, to keep the crowd from pressing too closely upon the guards, and so provoking another volley. He describes the scene as one of intense excitement. Several of the rioters were doing their best to encourage others to make an attack, but not one of them offered to lead it. They were particularly ugly toward Judge Burke. "Look at him," they cried, "with that double-barrelled shotgun and both barrels cocked. He'll hurt somebody yet." It was in fact extremely probable that he might hurt somebody, though it happened happily that there was no occasion to do so.

The five warrants which the mob had procured from a justice of the peace, were not served until the guards had reached the courthouse. A single constable came to make the arrests, and he had considerable difficulty in finding the Hanford he was after. He met Judge Hanford, who had been stationed with a gun to guard the courthouse door, but did not recognize him, and finally selected a third brother, A. Elwood. This mistake was soon discovered and Frank Hanford, for whom the warrant called was arrested.

When the constable was about to start with his five prisoners for the justice court, it began to be apparent that he

could never take them there alive, and a general protest was made against the attempt. The streets were still filled with the rioters. It was almost certain that one officer could not defend five prisoners, who were now marked by being under arrest, as the persons charged with shooting Stewart, and the others who had been wounded. Burke, Banks and Carr were particularly hated for the time being. Once in the street under arrest and without sufficient protection, they were likely to be torn limb from limb. But the constable was a broad-shouldered and very resolute man, and quite confident of his ability to escort them in safety. The prisoners, particularly Burke, were quite as willing to go. "I have been preaching submission to the law," said he. "The time has come to submit, and I shall do so."

But before a start was made news came down from an upper room in the courthouse, where Governor Squire had been in consultation for some hours, with Judge Greene, W. H. White the United States Attorney, Colonel Granville O. Haller, and other prominent citizens, that martial law had been declared, and the functions of all civil officers throughout the city suspended. He had also been in telegraphic communication with the president, and General Gibbon, and had been encouraged to believe that his proclamation would be sustained by the national authorities, as it was. A staff was promptly organized, the necessary orders issued, and within an hour or two the city was completely under the control of the militia. On the evening of the 10th General Gibbon arrived with ten companies of United States troops, and they remained for several months, until the excitement had entirely passed.

While the excitement was at its height in Seattle, the Chinese were driven out of several towns in King, Pierce and

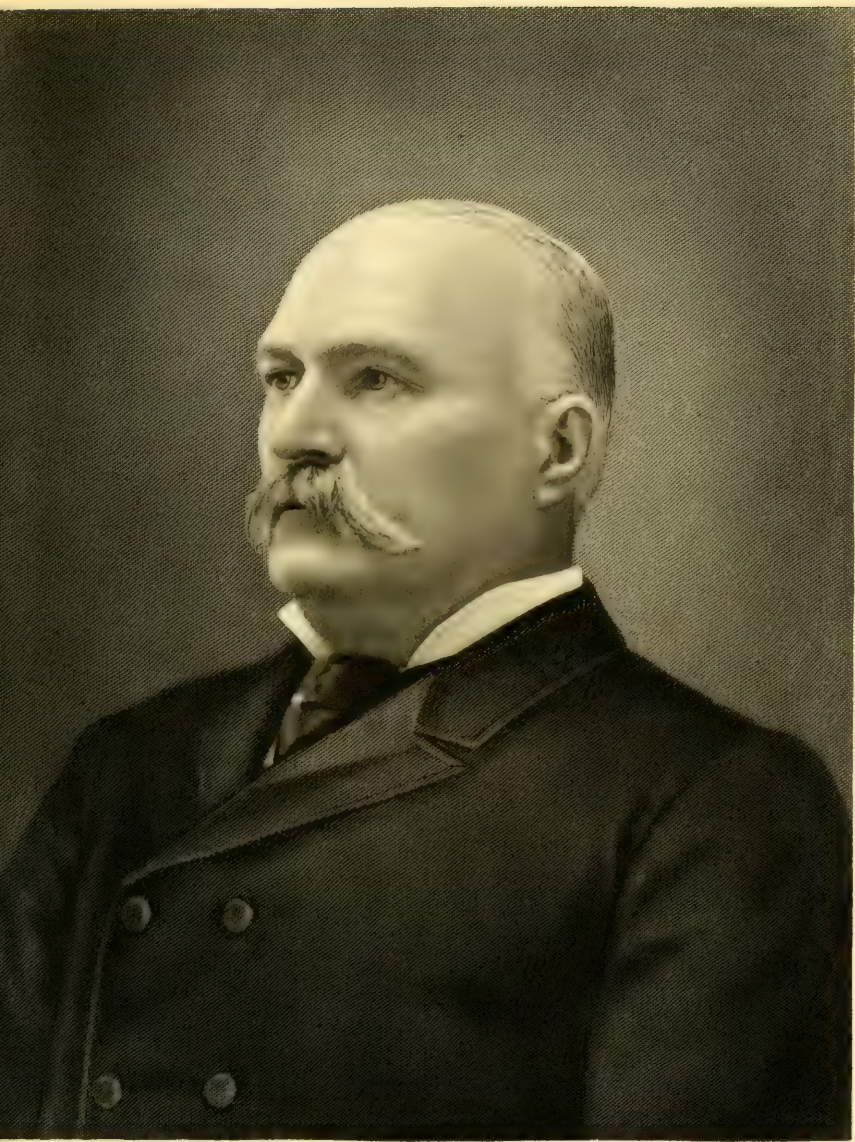
Snohomish Counties. An agitation was started in Olympia, to expel them from that place, but the prompt action of N. H. Owings, who had then been secretary of the territory for several years, and of Sheriff Billings, prevented any riotous disturbance. A company of about 150 of the law-abiding citizens was organized, the command of which was given to Captain William McMicken, whose long service during the civil war peculiarly fitted him to use such force to good purpose. Some of the riotously inclined knew that he was not a man to be trifled with, and the agitation was soon dropped.

The five men for whom warrants were sworn out on the day of the rioting in Seattle, were subsequently arrested on a charge of murder in the first degree, but they were never tried. The agitators fought stubbornly to have them sent to jail, but even this was not done. They were admitted to bail, which all readily furnished, and they were not afterwards called upon to answer further. The bitter feeling against them, or some of them, continued for a long time, although their sole offense was that they had done what they could to preserve the peace, uphold the law, and save the multitude from injuring themselves. This hatred and bitterness was shown in various ways. A shot was fired through one of the windows of Judge Hanford's house one evening, but fortunately no one was injured by it. Judge Burke's landlord was notified that he must no longer rent his building to him, or it would be blown up with dynamite. All were more or less annoyed by vicious remarks as they passed through the streets, but they did not permit themselves to notice these stupid insults, and in time they were heard no longer.

Most of the leaders of this vicious agitation, particularly in Tacoma and Seattle, had no permanent interest in these cities. They were mere transients, or if they had hoped to

CAPTAIN WILLIAM McMICKEN.

For nearly sixteen years surveyor-general of Washington territory and state. He was born at Youngstown, N. Y., January 1, 1827. In 1854 removed to Dodge County, Minnesota, and at the commencement of the Civil war raised a company for the Tenth Minnesota Regiment, of which he was elected first lieutenant, and finally became its captain. He served in the western army under Schofield, Rosencrans and Thomas, and in the Department of the Gulf under Canby. He came to Washington in the employ of the Northern Pacific, and helped to build the line from Kalama to the Sound. Was appointed surveyor-general in 1873, and was reappointed by Presidents Hayes and Arthur. He was territorial treasurer from 1886 to 1887, when he was again appointed surveyor-general by President McKinley, and held the office until his death in 1899. He was long prominently identified with the Masonic order, the G. A. R. and Loyal Legion.



Wm. Micken

make permanent homes in either city, the hope was soon abandoned, and they moved on to new fields where less ^{is} was known about them. The names of the committees of fifteen are now scarcely remembered. One member of the Tacoma committee when last heard from, was reported to be working for a Chinaman in Honolulu.

CHAPTER LVIII.

THE LUMBER INDUSTRY

LUMBER was the first of the many natural resources of Washington to engage the attention of the settlers. It offered them the readiest and most obvious means of supplying their temporary wants, and besides it was necessary to clear the ground before anything could be done with it in an agricultural way. Simmons and those who came with him employed their first winter at Washougal, as already noted, in making shingles for the Hudson's Bay Company, and this employment engaged a large share of their time and energy during the first years after their arrival on the Sound.

Long before they came, William Cannon, the old millwright, who had come to the coast as one of the Astor party, had made lumber by more or less crude and unsatisfactory methods, for the Hudson's Bay Company, after the headquarters were removed to Vancouver. Doubtless the first boards made were whipsawed, as they were long afterwards at Fort Nisqually, but, in course of time, some mill machinery was brought out from London, and a sawmill was established on the north shore of the Columbia, a few miles above the fort.

The next sawmill was that built by the so-called Puget Sound Lumber Company, in which M. T. Simmons, George Bush, Jesse Ferguson, A. B. Carnifex, John Kindred, Colonel B. F. Shaw, Edmund Sylvester and E. B. Rabbeson were interested, and which was, in fact, nothing more than a partnership. The mill was built at the lower Tumwater Falls, in the winter of 1847, and its machinery seems to have been that first used by the Hudson's Bay Company in its mill on the Columbia, and which doubtless had been replaced by something better, imported from England. In the following year, 1848, Alexander D. Abernethy and his partner,

a man named Clark, got a mill started and perhaps completed, on the north bank of the Columbia, opposite Oak Point. It began operations just about the time the demand for lumber from San Francisco began to be pressing, and it did a prosperous business for many years.

Many of the mills in the Sound country, which afterwards became most prosperous, were established between 1850 and 1853. Many smaller concerns like those of DeLin and his partners at the head of Commencement Bay, A. T. Simmons on Henderson Bay, and Yesler's famous steam mill at Seattle, were begun during these years, and several of the larger ones were also established.

Most, and perhaps all, of these mills were supplied with logs furnished by the settlers who were clearing their claims. Yesler's mill was supplied for a long time by Dr. Maynard, A. A. Denny and others, who felled the tall firs and cedars that were nearest the mill with their axes, cut them up and rolled them with their own hands to the mill, or into the bay, so that they could easily be floated to it. In course of time it became necessary to employ oxen, and build skid roads, when the logs were dragged for a greater distance. But millions of feet of lumber, and pile timber, were cut and dragged to the mills or to the water by the early settlers, with their own hands. In this work, Indians were employed to a certain extent, and were made very useful.

The demand for piles and ship timbers, as well as for shingles, began early. The first cargo of piles from the Sound was taken in 1846 by the English brig *Rosalind*. They were cut on Anderson Island, and were probably taken to Victoria. The first spars of which any mention is made were thus cut for the British ship *Albion*, whose seizure before her cargo was completed has been described

in a preceding chapter. The demand for spars, ship knees and other special material for shipbuilding, furnished occupation for many of the settlers for nearly a generation. The ship knees were supposed to be cut from fir and spruce stumps, both of which made excellent material for that purpose, but in time the settlers found that they could be much more easily made from the upper part of the tree, where the first strong branches left the trunk, and as these were frequently accepted as readily as those made from the stumps, and were much more easily cut, they were most frequently furnished.

The Hudson's Bay Company appears to have sold the earliest shingles made, at the Hawaiian Islands and in California, but in time they began to compose a part of the cargo of each ship sent annually to England. For the first few years after the settlement north of the Columbia was made, more shingles were offered by the settlers than the Company could readily find market for, and a considerable stock of them was accumulated at Fort Nisqually, where all that the settlers offered were bought, and if they could not be readily sold at the time, were carried until the demand for them increased. Fortunately for the Company, the rapid growth of San Francisco soon furnished a market for all that could be supplied, and at a very handsome profit. Nearly all of the settlers who arrived on the Sound before 1853 did something at one time or another in the way of shaving shingles, among them being many of those who afterwards became the wealthiest men in the territory, like Dexter Horton, A. A. Denny, W. N. Bell, and many others.

The mill started by J. J. Felt at Appletree Cove, in the winter of 1852-53, began to cut lumber April 4, 1853. A few cargoes were shipped during that and the following

year, in vessels which Felt himself owned. The mill was then sold to George A. Meigs, who moved it to Port Madison, where it was burned soon after it was erected, but was immediately rebuilt. From 1854 to 1861, it did a most prosperous business, and Port Madison came to be one of the most thriving towns on the Sound, rivaling and promising soon to distance Steilacoom and Olympia. It maintained a general store, and also a blacksmith and carpenter shop, a brass and iron foundry, and a well-appointed machine shop where all kinds of mill and ship work were done. On the north side of the bay, nearly opposite the mill, a shipyard was established. In succeeding years, vessels carried lumber from Port Madison to almost every port in the known world, although a very large part of the cut of the mill was sent to San Francisco, in the Company's own vessels. The profits on this business were enormous at times, lumber selling at \$200, \$300 and \$500 per thousand feet.

On May 21, 1864, the mill was burned, and it was only by the greatest exertions that the vessels at its docks, the store and machine shop, and many of the residences of the employees were saved. But as had been the case ten years earlier, the mill was promptly rebuilt, and was running again before the end of the season.

In 1872, William H. Gawley, who had been engaged in the lumber business in San Francisco for a number of years, bought an interest in the mill, and the firm became Meigs & Gawley, but the new member of the firm soon became involved in speculation in mining stocks, and during the panic of 1873 the firm became financially embarrassed, and was practically wrecked. But Meigs courageously set to work as he had done before when disaster overtook him, and by 1877 had reëstablished himself, by associating others in

his undertaking and had organized the Meig's Lumber & Shipbuilding Company. This company did a thriving business for several years, but as the demand for lumber varied and the mill companies combined to limit the supply, this was one of the mills that was closed down. As the town depended wholly or largely on the mill for the support of its inhabitants, it gradually declined and has now practically disappeared.

The Puget Mill Company was, at the start, composed of W. C. Talbot and A. J. Pope, of San Francisco, and J. P. Keller and Charles Foster, of East Machias, Maine. These gentlemen had fitted out the schooner Julius Pringle, in June, 1853, at San Francisco for a cruise to Puget Sound. She was commanded by Captain W. C. Talbot, and among her passengers were: Cyrus Walker, Nathaniel and Hill Harmon, E. S. White and James White, all of Maine. The two last named were millwrights and machinists. They arrived at Port Discovery July 14th, where the vessel lay for some considerable time, and an exploring party was sent out to examine both shores of Admiralty Inlet and select a site for the mill. The choice was finally made of the bay on the east side of Hood's Canal, near its entrance, which Indians called Tekaleet, but to which the mill company gave the name of Port Gamble.

On the 4th of September, 1853, the schooner L. P. Foster, Captain Keller, arrived at Port Gamble, 158 days from Boston, bringing a cargo of general merchandise and the machinery for two steam sawmills, for the company. Captain Keller brought his family with him, consisting of his wife, a daughter and a son, and was accompanied by Edward A. Foster and Edwin Emerson. He immediately began the erection of his mill, and by the end of January, 1854, had

a gang of thirteen saws in operation. By the middle of March, a shingle machine had been started, and a few days later, the L. P. Foster carried away the first cargo of lumber from the new mill.

It was from this mill that the first cargo of lumber was shipped from Puget Sound to Australia. It went on the bark *Ella Frances*, which sailed September 1, 1854.

The Puget Mill Company soon became, and still continues to be, one of the most prosperous lumber concerns on the Sound. Early in its career, it began to buy timber land, of which it could then choose where it wished, and which it procured at the government price of \$1.25 to \$2.50 per acre. It is now supposed to own more than 100,000 acres, a large part of which is the most heavily timbered in the State. One-quarter section alone is assessed at \$100,000. In 1880 its annual output of sawed lumber was 36,000,000 feet.

Captain Keller early retired from the management of the company, and Cyrus Walker succeeded him, and still remains in control. The mill was for many years one of the largest on the Sound, having an average daily output of 220,000 feet. In 1876 the company bought the mill at Utsalady, and in 1878 that at Port Ludlow. The latter then had an average daily output of about 150,000 feet.

In 1853 Captain William Renton and Charles C. Terry built a small steam mill at Alki Point, but it was soon moved to Port Orchard, and located not far from the present site of Bremerton. It began operations some time in 1854, and, in July of that year, sent a cargo of lumber to San Francisco by the brig *Leonesa*. Captain Renton continued to operate this mill until 1862, when he sold out to Colman & Falk, who ran it with success for a considerable time. James M. Colman was a practical mill man and in early days was

CAPTAIN WILLIAM RENTON.

One of the most successful pioneer mill men of the Sound. Born at Pictou, Nova Scotia, November 2, 1818. His father Adam Harvey Renton, was a ship-master, and died while his son was only a mere child, and he obtained most of his education from his mother. He went to sea when only eleven years old, and at twenty-three was himself master of a ship. He came to California in 1850, and to the Sound in 1853, where he engaged for the first time in the business in which he afterwards became so successful. From a small beginning his business increased until his mill was the largest on the Sound. Captain Renton took a great interest in public enterprises of every sort and did much outside of his mill business to develop the territory.



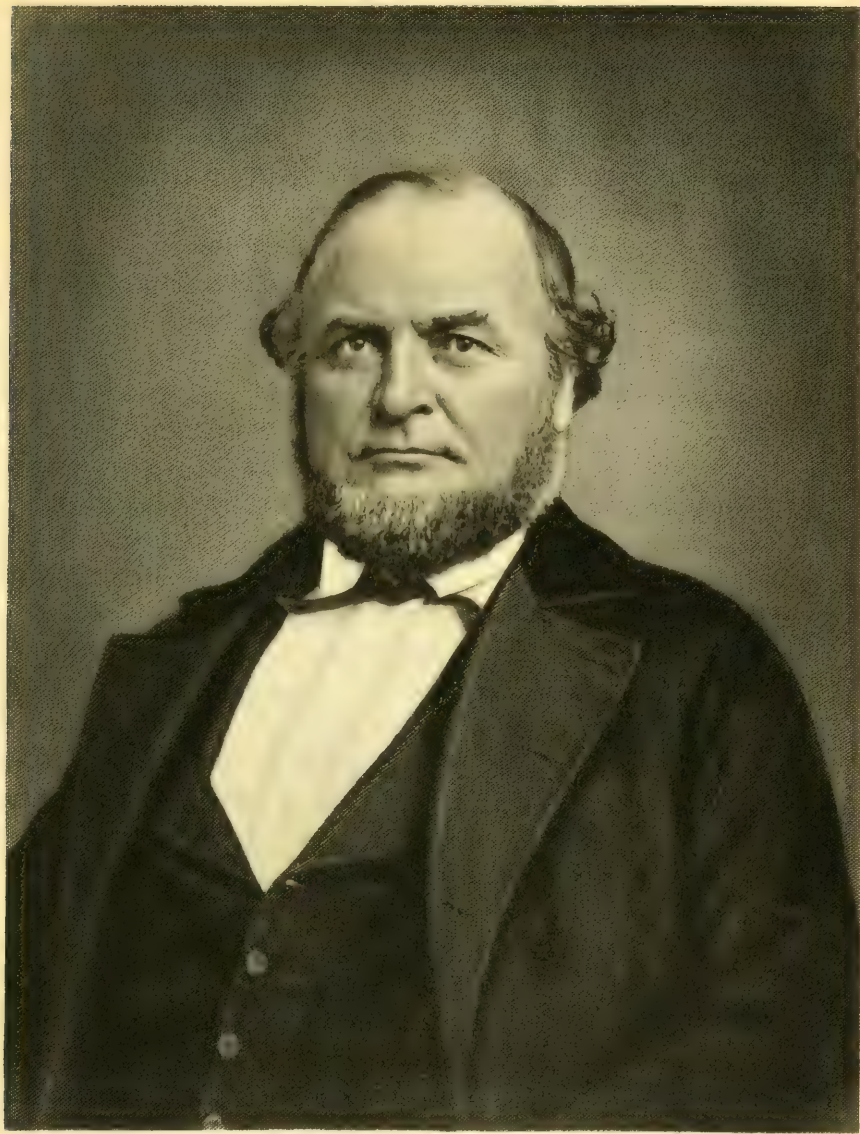
a small saw-mill was in operation. By the middle of March a steam engine had been started, and a few days later the first cargo of lumber was shipped.

The first cargo of lumber was shipped to San Francisco by the ship "Pigeon" in 1851. It went on the ship "Pigeon" which sailed September 1, 1851.

The Pacific Mill Company was begun, and will continue to be one of the most prosperous lumber concerns on the coast. Early in its career, it began to buy timber land, of which it could then choose where it wished, and which it purchased at the government price of \$1.25 to \$1.50 per acre. It is now supposed to own more than 100,000 acres, a large part of which is the most heavily timbered in the State. One-quarter section alone is assessed at \$100,000. In 1880 its annual output of sawed lumber was 30,000,000 feet.

Captain Keller early retired from the management of the company, and Cyrus Waller succeeded him, and will remain in command. The mill was for many years one of the largest on the coast, having an average daily output of 100,000 feet. In 1875 the company bought the mill at Ukiah, and in 1878 that at Port Ludlow. The latter then had an average daily output of about 150,000 feet.

In 1853 Captain William Remon and Charles C. Terry built a small saw-mill at the Point, but it was soon moved to Port Orchard, and located not far from the present site of Bremerton. It began operations some time in 1854, and in July of that year sent a cargo of lumber to San Francisco by the brig *Lewisa*. Captain Remon continued to operate this mill until 1862, when he sold out to Colman & Falk, who ran it with success for a considerable time. James M. Colman was a practical mill man and in early days was



W. Lenthorn

employed to superintend the construction of some of the principal mills in the territory. While thus employed he introduced many improvements both in the arrangement of the mills and in their machinery. Some of the latter were very valuable and would have made a great deal of money for him if he had taken pains to apply for patents for them. But this, he for a long time neglected to do. It was not until a person who had patented one of these devices which he had invented, sued him and the company for which he was working, for using his own inventions, that he took pains thus to protect himself.

In spite of Colman's skill as a mill builder and manager, his firm became involved in difficulties. Falk retired and A. K. P. Glidden acquired his interest. The mill was rebuilt and considerably improved about 1868 or 1869, but the lumber business was not then prosperous and the company was overtaken by disaster. Vexatious suits were begun, the vessels and other property of the company were seized and sold at great sacrifice. Early in 1870, the mill was burned and thus one of the pioneer industries of the Sound came to an inglorious end.

Meantime, Captain Renton, who had gone to San Francisco after selling out his interest in this mill, returned to the Sound, bringing with him boilers, engines and machinery for a new mill, which he located at Port Blakely, and not far from the point where Vancouver had anchored his vessels, and from which he sent out the two exploring parties which discovered Commencement Bay and Puget Sound. Here, after taking soundings with a piece of iron attached to a clothesline he set to work to build a mill with a daily capacity of about 50,000 feet, and at a cost of \$80,000. It began cutting lumber in April 1864, and its first cargo was

sent to San Francisco in the bark Nahumkeag, in that year. Its capacity was gradually enlarged from year to year, until in 1878 or 1879, its average capacity was 20,000,000 feet per annum. In 1868, the firm became Renton, Smith & Company, and in 1874, Renton, Holmes & Company, C. S. Holmes, who had been bookkeeper for the captain since 1858, being admitted to the partnership in that year. In 1881, the business was incorporated as the Port Blakely Mill Company.

The old plant was burned in 1888, but the work of rebuilding was begun while the ashes of the old mill were still hot, and in just five months, to a day, from the time the old mill took fire, a new one was cutting lumber on the same site.

This company, like the Puget Mill Company, began to buy timber lands in considerable quantity soon after it began business, and in time became one of the largest land-owning concerns in the territory, or state. In the early '80s it built a logging railroad in Mason County, from salt water westward into the Chehalis Valley. The company also early bought lands near the town of Seattle, which have long since been included within the corporate limits of that city, and are now immensely valuable.

A mill of considerable capacity, for its time, began operations at Seabeck, on the east side of Hood's Canal, nearly opposite the entrance to Dahop Bay, in 1857. It was built by J. R. Williamson, W. J. Adams, W. B. Sinclair and Hill Harmon. The boilers and machinery for this mill were bought at second-hand in San Francisco. It had a daily capacity of 50,000 feet, and its output was nearly all shipped abroad. It did a prosperous business for several years. These large milling concerns, the Puget Mill Company, the Renton Company, both at Port Blakely and at Port Orchard,

the Port Madison Company, and the mill at Seabeck were all in Kitsap County, one of the smallest in area in the territory, but they made it one of the most populous of all the counties at that time. From 1857 to 1864 it was represented by two members in the lower house of the legislature, while King County had but one, Pierce only two, and Thurston, Clark and Walla Walla, then the most populous counties, three each.

W. P. Sayward and J. R. Thorndike selected Port Ludlow on the west shore of Admiralty Inlet, near the entrance of Hood's Canal, as an advantageous site for a sawmill in 1853. They arrived there with their mill machinery and a considerable stock of goods of various sorts on July 30th of that year. Within two months after their arrival they had their first mill in operation. It had a capacity of from 3,000 to 4,000 feet per day. It was gradually enlarged, and in 1858, was leased to Amos Phinney & Company, at a monthly rental of \$500. In 1866 this firm failed, but Phinney reestablished himself, and in 1874 bought the mill and organized the Port Ludlow Mill Company. He died in 1874 and the property was sold to the Puget Mill Company for \$64,000. The new owners enlarged and improved the mill, and in 1885 it had become a very important factor in the lumber industry of the Sound. It was accessible from the ocean, and there was a large amount of very excellent timber tributary to it. Some time after the Puget Mill Company took possession, Cyrus Walker, its manager, removed to, and made his home at Port Ludlow, where he gradually increased the capacity of the mill to 150,000 feet per day.

In the winter of 1857-8, the frame for a sawmill was erected at Utsalady at the north end of Camano Island. As

in other new mills, its frame was composed of hewn logs. The mill began sawing in February 1858, a few months before the rush of gold hunters to the Fraser River began. In 1869, Thomas Cranney, who had been interested in the enterprise from the beginning, became its sole owner. Later Cranney took in a partner named Chisholm, and in 1873, the firm became Cranney & Chisholm. The latter was lost at sea in November, 1875, by the sinking of the steamer Pacific.

Cranney had begun getting out spars on Camano Island, for shipment abroad, in 1855, and for a time a man named Thompson was associated with him. The work required a considerable skill and much patience, for it is not an easy thing to fell a tree 250 feet high in such a way that 100 feet or more of its trunk shall not be broken or shattered. Then it is a difficult matter to get so long a timber to the water, and put it on board ship. The tree must be carefully felled and transported with equal care, and this requires that a road shall be cleared and leveled, and possibly at some points along the line bridges must be built before the timber is moved. A spar 100 or 125 feet in length, and from 35 to 50 inches in diameter at the stump end, weighs from 15 to 20 tons, and in early days, when no logging machinery was used or invented, was moved with no little difficulty. But Cranney did a considerable business for several years in getting out spars of this kind, during which time he loaded several ships with cargoes that went to nearly every ship-building country in the world. In 1856 the Dutch ship Williamsberg took away more than 100 spars from 80 to 120 feet long. The French bark Anadyr took away a similar cargo in 1855 for a shipyard at Brest. In August, 1866, Grennan & Cranney cut a flagstaff 150 feet long, 24 inches

in diameter at the stump end, and 11 inches at the top, and sent it by the ship Belmont to Paris, for the exposition held there in 1867. The stick was 200 feet long and without a blemish, when it was felled, but the ship could not carry a timber of that length, and fifty feet of it had to be sacrificed. Governor Pickering took a lively interest in this undertaking, and, in his message to the legislature in the following December, gave Mr. Cranney sole credit for originating and carrying out this plan "of sending our native-grown national flagstaff from the territory of Washington to the world's greatest fair ever held on earth," and thus feelingly and floridly expressed his regret at the necessity for sacrificing its top-most fifty feet. "Thus it will be impossible to convey to the hundreds and thousands and millions who will congregate in Paris between March 1st to December, 1867, a fine idea of the magnitude of our timber trees, but shorn of its fair proportions as it is, by its being shortened full fifty feet, the glorious flag of our beloved country will float from its top, to the admiration of all visitors, far above the emblem and banners of any other nation."

In 1876 the mill at Utsalady was sold to the Puget Mill Company, by which it was operated until 1890, or later, when it was closed down.

J. R. Williamson sold out his interest in the mill at Seabeck to his partners Adams and Blinn, and together with Captain Plummer, of San Francisco, and Charles Phillips, of Whidby Island, built a mill on the west shore of Elliott Bay, near where the ferryhouse now stands, with a capacity of about 50,000 per day. It began operations in the summer of 1864. As usual, a little village grew up about it, which was called Freeport. The mill was destroyed by fire in April, 1867, but was rebuilt and began operations during the following year.

A mill was built at Port Discovery in 1858-9 by S. L. Mastick & Company, of San Francisco. It had an annual capacity of about 6,000,000 feet, which was afterwards doubled and trebled. In 1874 its cut amounted to 18,000,000 feet. It has long since gone out of business.

In 1863 David Livingston built a small mill, with a capacity of 10,000 to 12,000 feet per day, on Snohomish River, about three miles above its mouth. Livingston also had a little steamer with which he used to tow logs, and also to deliver lumber to the settlers on and near the river, which for several years consumed the entire output of the mill, in building and improving their early homes.

A mill was also built at the mouth of Whatcom Creek on Bellingham Bay, in the winter of 1852-3, by the firm of Roeder & Peabody. It made a good deal of money for its owners during the twenty years of its existence. It was burned in 1873, and later a much larger mill, using steam-power, was erected on its site.

In the winter of 1853-4 Tobin, Fanjoy and Eaton built a small water-power mill on Black River just below the mouth of Cedar River. It had two circular saws and began operations in February, 1854, but it was not advantageously located and never did a profitable business. In 1855 Fanjoy and Eaton were attracted by the reports of the discovery of gold at Fort Colville, and were among the first to start across the mountains for that point, and were both killed by the Indians.

In October, 1868, Charles Hansen and John W. Ackerson, of San Francisco, selected a site for and built a sawmill on the west shore of Commencement Bay, near a little town known at that time as Commencement City. The mill prospered from its start and in time became one of the largest

on the Sound. For many years there was a sharp competition between this mill and that at Port Blakely, as to which had the greater capacity. When orders favorable for the purpose were received at either mill, it would be pushed to its fullest capacity for a working day, all its employees taking the keenest possible interest in the result, and if a few thousand, or even a few hundred feet more were cut than the previous high record, the fact would soon be known in every mill town and logging camp along the Sound, as well as in all the lumber markets on the coast. When one mill thus beat the best record formerly made by the other, there was no rest until it was again excelled, and so these two mills were upon occasion pressed to their fullest capacity until the record finally stood at or near 250,000 feet per day.

During all these early years of the lumber industry in the Sound country, all the logs were cut with axes and hauled to the mills, or to the water, where they were made into rafts, by oxen. It was not until sometime in the '70s, or perhaps in the '80s that saws began to be used for felling trees. In all the mills in these days circular saws were used, except in the gangs. Some of these saws were the largest made, and the larger ones, which were nearly six feet in diameter, cut a kerf one-half inch in width through the log. An immense portion, particularly of the larger logs, thus went into sawdust. It was not until late in the '80s that band saws began to be used, and greater economy was practised.

The first loggers cut the timber that was nearest the water, without regard to who its owners were, unless they were on the ground. So it happened that much land was denuded of its marketable timber, while it was still owned by the government. But as no mill would then accept logs that were not sixteen inches or more in diameter at the

small end, much was left standing that in most lumbering countries would be regarded as very valuable. Even after all the pile timber had been cut out of this, there was still left a growth that soon became merchantable, and gave the ground an appearance, to those unacquainted with our forests, of still being covered with its original growth.

The loggers early found that they could save themselves much labor by cutting the trees ten or twelve feet above the ground. The bolls, particularly of the larger fir trees, are covered with a tough bark, from eight to twelve inches thick at the bottom, and the wood of the stump is also so thoroughly impregnated with gum as to be very heavy, and very hard to cut. The choppers found that by standing on short springboards, prepared for the purpose, and inserted in notches cut in the stump, they could get above this gummy wood and tough bark. By standing on these boards their breasts and shoulders were also saved from much of the shock caused by striking their axes into the wood, and so, while axes were used, much good timber was left in the stumps. These tall stumps gave newcomers the impression, for many years, that the timber had been cut in the winter, when the ground was covered with deep snow. Some were so confident that this was the case, that they refused to accept the true explanation when it was given them, preferring to believe until convinced by the actual experience of a winter or two in the territory, that the story was told them to conceal the fact that its winters were of the true hyperborean kind.

Our forests not only suffered from the lavish wastefulness of those who first began to reap the rich harvest which they offered, but fire also did much damage in them, during these and many succeeding years. But it is customary to blame

these early loggers and the settlers for more damage than they really did. Doubtless the loggers were careless enough, and many of the settlers would have been glad to find more expeditious ways, if they could, to destroy millions of feet of the tallest and straightest fir, cedar and hemlock trees in the world, because they simply encumbered the ground and prevented them from cultivating it. They felled as many of them together as they could, and set fire to them by as many different means as they could invent, and in as many different places as possible, and still they made progress very slowly. Even when the brush heaps left by the loggers and pile-cutters caught fire during the dry summer months, and the flames were communicated to the standing timber in their vicinity, a great amount of damage was rarely done.

Neither the settlers nor the lumbermen were responsible for all the fires in our forests, the evidence of which is still visible. There were fires that did much damage, measured by present-day values, long before either came to the country. "The Journal of Occurrences" kept at Fort Nisqually shows that there were great fires in the timber in August, 1835, and in October, 1836, or ten years before the first Americans arrived.*

It was not possible to take any effective measures to make defense against these fires until the State was admitted, and even then it took a good deal of time to organize the means that were to be used. As the mill companies increased their

*"The country around us is all on fire, and the smoke is so great that we are in a measure protected from the excessive heat," is the entry for August 14, 1835. That for October 1, 1836, says: "The weather is gloomy from the smoke around us," and on the 18th the entry is: "The country around us is all on fire." During both these years the fires continued for nearly a month, during a large part of which time the smoke was so thick as to nearly hide the sun during days together.

holdings of standing timber, they did what could be done to lessen the danger. The loggers were required to burn the tree tops and other wreckage they left behind them, when they could do so with least danger, and to see to it that the fires thus kindled were not allowed to spread beyond control. The counties established certain police regulations, which were enforced with more or less vigor, and by these and other means the amount of damage is gradually lessened year by year. But the actual annual loss is still greater than it should be.

CHAPTER LIX.

SCHOOLS AND COLLEGES.

THE children of the early settlers in Washington, like those of the early settlers elsewhere, had but scant opportunity to attend school. The first school houses were log cabins, furnished with rude desks built against the walls on two or sometimes three sides, and rude benches made of puncheons, or sometimes of sawed lumber. In these rude school houses a teacher was generally employed for three or four months during the winter; usually there was no summer term. Frequently the teachers could do little more than furnish instruction in reading, spelling, writing and arithmetic. Sometimes the preacher, if there was one in the neighborhood, was employed, and people then thought themselves fortunate in having a man of so much learning to instruct their children. In the towns private schools often furnished the larger part of the educational advantages. The Catholic priests frequently started schools in which they were themselves the teachers for a time, until they could procure lay brethren, or the sisters of some order to take charge of them. Such was the beginning of some of the institutions, which are now the pride of that church in the state. The other denominations also started schools in a modest way, and one of these, Whitman College at Walla Walla, founded by Rev. Cushing Eells, one of Whitman's associates, is now one of the foremost institutions in Washington, if not of the coast.

The books used in these early schools were of many kinds, and prepared by almost as many authors as there were children to use them. Often they had served for their parents, when they went to school, for school books in those days rarely went out of date. Fathers and mothers had found them good enough in their time; why should'nt they be good enough for another generation?

The famous legislature of 1853-4 framed a school law—or rather Judges Lander, Monroe and Strong framed it, and the legislature accepted and enacted it, and like most of the acts so framed at that session, it proved quite sufficient for several years.

School superintendents were elected in most of the counties, but they generally rendered but little service. They were required by law to visit the schools in their counties, at least once each year, and to make reports to be filed in the office of the governor, and, if convenient, to publish them in some newspaper for the information of the public, but Acting Governor McGill, in his message to the legislature in 1860, had complained that this requirement seemed to be wholly disregarded. Rev. Cushing Eells was one of the early superintendents in Whitman County, but he attended to the duties of the office most punctiliously, as was his custom in everything. There were forty or fifty school districts in the county, and he thought it his duty to visit every one of them. He traveled from school to school on horseback, carried with him some food, and a little grain for his horse, and they often lunched together and sometimes slept together, while on these official trips, for it often happened that people were not prepared to furnish him a bed, and in such cases he either slept out of doors, or on some hay in the barn or shed which sheltered his horse. It was not until 1872 that a territorial superintendent was provided for, and Rev. Nelson Rounds was appointed.

By the organic act creating the territory, Congress had set apart two townships of land for a university, and this was regarded as a fairly munificent endowment in that day. So important did an institution thus provided for seem likely to become, that like the capital and the penitentiary, several

REV. DANIEL BAGLEY.

Born in Crawford County, Pennsylvania, September 4, 1818. He married Susannah P. Whipple in August 1840, and removed to Illinois. In 1842 he became a minister in the Methodist church. In 1852 he crossed the plains to Oregon, and in 1860 he removed to Seattle, where he immediately took an active interest in the founding and upbuilding of the territorial, now the state, university.



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of the towns were anxious to have it located in their neighborhood. In the winter of 1854-5 the legislature located it at Seattle, but provided for a branch at Boisfort, to which one of the townships of land was assigned for its support. But this was manifestly such a bad arrangement, that it was set aside by the legislature of 1857-8, and the university and its branch were reunited and located at Cowlitz Farms.

But nothing was done to construct buildings, or get the institution started under either of these acts. At the next session the fight to remove the capital to Vancouver was begun, and the university became an important element in it. Mr. A. A. Denny was a member of all the legislatures in which this war was waged, and as he was leaving Seattle for Olympia in 1860, Rev. Daniel Bagley said to him that if he could get the university located at Seattle, and have him appointed commissioner, with power to sell the lands given it, he would get the buildings so well started before the legislature met again, that it would be difficult to remove it. This Denny succeeded in doing. But by this time it had been made a condition that the town securing the capital or the penitentiary should give the territory ten acres of land as a site for it, and the same condition was now made with regard to the university. Denny met this demand by promising that the ten acres should be provided, and he subsequently gave something more than eight acres of it himself, while Charles C. Terry and Judge Lander gave the remainder. Daniel Bagley, John Webster and Edmund Carr were named as commissioners, and Bagley became chairman of the board with full powers.

The ground devoted for the institution is now near the busiest part of Seattle and seems likely to become, at no distant day, its business centre. At that time it was covered

by a forest so dense that the surveyors could hardly get through it. The town was a straggling hamlet. Its site had only been cleared as far north as Columbia Street, and as far east as Third Avenue. The first step therefore in building the university was to get its site cleared, and this was done by contracting with Hillory Butler, L. B. Andrews, Lemuel J. Holgate, C. B. Bagley, James J. Crow, Ira Wooden and others to clear from half an acre to an acre each, and take land when money could not be provided, in payment. The work was begun early in March 1861, and was completed in about two months. The clearing cost from \$275 to \$317 per acre, the contractors counting their time at from \$2.50 to \$4 per day.

There was much grumbling at the time because the site was so far from town, and so hidden by the woods, and in order to remedy this difficulty somewhat, the ground lying between it and the bay was cleared as rapidly as it could be done, so that people approaching from the bay—and all people came to Seattle from that direction in those days—could see that the university was really located there.

The price of government land at that time was \$1.25 per acre and there was no lack of it, but the law provided that the university lands must not be sold for less than \$1.50 per acre. This might seem to have been difficult to do, but Bagley managed by making judicious selection, to make sales at the higher price. He could furnish title more promptly than the government did, and this was a strong point in his favor. He could also select lands that were desired by the mill companies, and watching carefully for opportunities of that kind, he procured money enough, by the time the site was cleared, to begin building. During 1861 and the early part of 1862 a general school building,

a boarding house, and a house for the president were finished, and the university of Washington Territory was formally opened, with Asa Mercer as principal, in the fall of the last named year. It was little more than a fair public school at first, but year by year it advanced until it became an institution of recognized standing. Its first class was graduated in 1876, and since then there have been graduates every year.

Mr. Bagley was for many years much criticised for selling the university lands, and using the money received from them to build temporary buildings, and to pay the current expenses of the institution. Committees from the legislature were sent to make investigations. Wise people said that the lands should have been reserved until the territory or state became more thickly settled, when they would be more valuable. Similarly it might have been contended that they should have been held until all the timber in the state had been sawed and sent to market, when they would bring almost any price that could be asked. Had such a policy been pursued the timber might have burned before it was sold, and the university left with nothing. The fact is there was most urgent need to get the institution started at the earliest moment. Had it not been started when it was a generation might have grown up with very slender advantages for education, and the territory would have lost more than the lands would ever be worth. Our common school system in 1860 was very far from being what it is today. A generous government did not then assign two sections of land in every township to the support of schools, nor would such a thing as the appropriation of 100,000 acres each for a scientific school, and a normal school, 90,000 acres for an agricultural college, and seventy-two sections for a university,

as was done by the enabling act, have been thought of. Ten years earlier members of Congress were doubting whether they had not been too generous in giving to every settler who would go with his family 2,000 miles through a wilderness to get it, 640 acres if he would reside upon it for four years. The public lands were supposed to be the nations most valuable heritage, and the economists of that day feared that it would never be possible to pay a national debt of \$65,000,000 and protect the national honor, unless all government land was sold to the highest bidder.

By the time the university lands were selected and ready for sale a new difficulty had appeared, and it caused Mr. Bagley a great deal of trouble. The money principally used on the coast was gold and silver, but the legal tender notes issued by the government during the war were obtainable, and some purchasers were shrewd enough to offer them in payment. As they were legal tender Mr. Bagley was compelled to receive them at their face value, although they were constantly depreciating. His accounts easily got into confusion in this way. Money received at 100 cents on the dollar often did not pass current at 75 or even 50.

Mr. Bagley's accounts rendered in 1862 were made the subject of considerable controversy during several years, and finally the legislature in 1876 appointed a committee to give them a thorough examination. This committee went carefully over the books, and made a report vindicating Mr. Bagley's management of affairs, and recommending that he be paid out of the territorial treasury for two years' service, for which he had received no compensation, in addition to a balance of \$814.76 found to be his due.

If there was ever any occasion for regret because the university lands were sold so early, and at such a low price, it

has long since passed away. The ten acres originally donated as a site for it have vastly increased in value during recent years, and will some day make the institution one of the most richly endowed in the country. It already enjoys a considerable income from ground rents, derived from this property. Buildings of modern construction, ten and twelve stories in height, have been built on it, and others are building. The ground on which they stand has been leased to the builders, at a varying rental to be fixed by appraisement at stated periods, and at the expiration of the leases the buildings become the property of the university. If the city and country continue to prosper, as they have prospered during recent years, as it seems probable they will, any estimate of the value of this property that might seem ridiculously high at the present time, is likely to be ridiculously low in fifty years hence.

Whitman College at Walla Walla has had a curious and interesting history. It was founded by Rev. Cushing Eells in 1859, in the hope that it would become a fitting monument to the name and fame of his friend and associate, and his heroic wife. The hope has already been fully realized, for the institution is one of the most notable in the Pacific Northwest.

After Eells and Walker were forced to leave Eastern Washington, both went to the Willamette Valley, where they engaged in teaching as well as church work for several years. But Eells nourished a longing to return to the scene of his early labors, to renew his missionary work there and to establish a school. Soon after the country was declared open to settlement, following Wright's successful campaign, he made the journey up the Columbia to Waiilatpu on horseback. A. B. Roberts, who had been in Kelly's fight with

the Indians on the Walla Walla, accompanied him, or fell in with him on the way, and to him as they followed the dusty way along the river bank, or sat together about their camp fire in the evening, Eells imparted his hopes and plans. He aspired to found a school that would sometime grow to be a great institution of learning. It would bear the name of his murdered friends, and perpetuate the memory of their virtues, their labors, and their heroic devotion to the work they had undertaken.

The enterprise seemed at that time to have but little prospect of success. There were no white people in that region, or within several hundred miles of it in every direction, except a few of the Hudson's Bay people. The Indians, he well knew, would furnish but little hopeful material for educational purposes. It did not seem probable that the country would soon be settled. He had tried and failed to get help for the enterprise from the missionary board and friends in the east. Nevertheless this optimistic old man was resolved to do what he could do alone to found a school, and trust in God to provide it with pupils.

Arrived in the valley he paid a visit to the unmarked grave in which the victims of the massacre rested, and there, as he afterward said, he believed that the power of the Highest came upon him, and he was more resolved than he ever had been, to go on with the work. During the winter of 1859-60, with the help of Hon. J. C. Smith, he secured a charter for Whitman Seminary, from the territorial legislature. In the spring he borrowed a yoke of oxen, and with his own horses and wagon, removed with his family to Walla Walla, where they arrived March 26th. Meantime he had offered the American Board of Commissioners for foreign missions, a thousand dollars for the section of land which it had required

under the Donation Act because Whitman had once lived on it.

During that year the gold mines in Idaho were discovered, and the rush of gold hunters through the valley began. Walla Walla was founded and soon became a thriving town, making the prospect for his school quite hopeful. In December of that year the first meeting of the trustees of Whitman Seminary was held, and Mr. Eells was chosen president of the board, a position he held until the close of his long and useful life.

Originally the plan had been to build the seminary on the site of Whitman's Station, but this in time was abandoned, as it was evidently more desirable to establish it at Walla Walla. It was not until November 1864, five years after the charter was granted, that some actual progress was made toward establishing and opening the school. Dr. Dorsey S. Baker donated a site consisting of four acres, which he afterwards increased to something more than six acres, in the immediate vicinity of the town, and a building forty-six feet long by twenty feet wide, and two stories high was erected during the following summer. It was dedicated and opened to students on Saturday, October 13, 1865. School was opened on October 15th, with Rev. P. B. Chamberlain as principal and Misses M. A. Hodgdon and E. W. Sylvester as assistants. In March Chamberlain resigned, and there being no one else to carry on the work, Mr. Eells assumed it himself and conducted it until June 1869.

In the meantime, in June 1867, he had been elected superintendent of schools for Walla Walla County, which then embraced an area nearly as large as Massachusetts. With his accustomed devotion to duty he visited every school in this wide area, though he did not altogether neglect his duties

as principal of the seminary. "It was a severe and strength-taxing toil for him," says his son and biographer, "to board at home six miles distant, or to board himself at the seminary, teach school five days in the week, spend his Saturdays largely in attending to the county school business, and his vacations in visiting schools." Yet he did the latter so faithfully that the county commissioners willingly raised his salary from \$25 a year, the pay of his predecessor, to \$500 per year, which was the highest legal limit."

It was difficult from the first to obtain money to support the school even in a most economical way. It was burdened with debt at the beginning. The cost of the buildings had exceeded expectations, and some of the subscriptions had not been paid. To discharge this debt Mr. Eells gave the seminary one half of the Whitman Mission claim, and the trustees tried to sell it for \$2,000 but did not succeed. As money could be borrowed only at the rate of from one to two per cent. a month, it was evident that it must be secured from some other source, or the institution would be ruined. Accordingly Mr. Eells went to work to pay the debt himself. He had his farm, some stock and his salary as school superintendent, and by selling what he could spare he applied the proceeds to pay interest and gradually lessen the principal. Mrs. Eells, although then more than fifty-seven years of age, had made four hundred pounds of butter during the summer, which was sold and the proceeds applied to the same use.

When Mr. Eells had obtained all the outstanding notes, which, with accumulated interest amounted to \$2,900 he offered to surrender them to the trustees in exchange for the half section of land which he had given the seminary, and which they had been unable to sell for \$2,000. This offer

was accepted, and as some slighting remarks were made about this transaction, he resolved to answer them, if the opportunity should ever occur, by giving a fair share of the profit, if any should ever be made out of it, to the seminary, and this resolution he carried out in 1872, when he sold the land for \$8,000 of which he gave \$1,000 to the seminary and another thousand to the American Education Society.

For a number of years the institution had a very precarious existence. Sometimes there was no school held in the building, because the trustees could not raise money to pay teachers. Sometimes teachers of standing were allowed to use the building for a school conducted at their own risk.

From 1882 to 1891 Dr. A. J. Anderson was president, and during his administration some money was raised in the east, but not enough to entirely relieve the seminary from its embarrassment. It was not until Mr. Eells himself went to the aid of those who were soliciting for it, that it finally began to be established on a firm financial basis.

Largely through the efforts of Mr. Eells the American College and Education Society of Boston was induced to place Whitman College on its list of institutions to be helped, and it has already made several contributions to its support. Dr. D. K. Pearson of Chicago, has also given it \$150,000 upon conditions which have secured for it considerable assistance from other sources. Mrs. Frederick Billings, widow of one of the former presidents of the Northern Pacific Railroad, has built a boys' dormitory, known as Billings' Hall, and a girls' dormitory has been built by Dr. Pearson. Residents in Walla Walla are proud of the institution and have contributed liberally to its endowments.

The college confers four degrees: Bachelor of Arts, Bachelor of Science, Bachelor of Letters, and Bachelor of Music.

Its graduates are accepted as candidates for the masters degree in one year by several American universities.

At the close of the territorial period there were a number of thriving schools and colleges in Washington, some of which were beginning to be well known all along the Coast. In his final report Governor Moore mentioned the following: The Annie Wright Seminary at Tacoma, which had been liberally endowed by Mr. C. B. Wright, who was for many years president of the Tacoma Land Company. It was under the supervision and control of the Protestant Episcopal Church.

Puget Sound Academy, at Coupville, in Island County, was a Congregational school, and growing into popularity in the lower part of the Sound district.

The Northwest Normal School at Lynden was particularly designed for the education of teachers.

The Olympia Collegiate Institute was in a prosperous condition, at the capital. It was under the charge of the Methodist Episcopal Conference of Puget Sound.

The Chehalis Valley Academy was a Presbyterian school, at Montesano, in Chehalis County.

Holy Angels College, at Vancouver, was a Catholic school for boys, and one of the oldest institutions in the Northwest.

Waitsburgh Academy was a thriving school at Waitsburgh.

Washington Academy, at Huntsville, was under the auspices of the United Brethren.

Spokane College, at Spokane Falls, was a Methodist Episcopal school.

There was at Walla Walla a thriving business school.

The Sisters of the Catholic orders, had prosperous schools at Olympia, Vancouver, Seattle, Walla Walla, Yakima, and Spokane.

The convent of the Sisters of Providence, at Vancouver, was in 1889 probably the largest school building in Washington. It was a boarding and day school for girls.

CHAPTER LX.
STATEHOOD.

A TIME came at last when Congress could no longer postpone the demand of the far away territory for full membership in the family of States. Its call for recognition, so feeble at first that it was scarcely heard across the broad continent until Mr. Madison's time, had grown steadily louder and more persistent. It had been easy to neglect, and even ignore it in the time of Floyd and Bayles, when it only asked to be recognized as a part of the sole property of the United States, and not a thing jointly owned with Great Britain; it had been more difficult in Lynn and Benton's time, and when the missionaries with their brides, and the hardy settlers from Illinois, Iowa, Missouri, Kentucky and other border states, had taken their wives and their little ones across two thousand miles of treeless waste and pathless wilderness, to assert the nation's rights in the very presence of a foreign autocrat, who had so easily kept Wyeth and Bonneville and their armed supporters at bay, our senators and representatives in the cushioned luxury of the National Capital, gathered courage to give them their approval.

When the stout-hearted settlers had organized a government of their own, so wisely planned as to command the approval of the authorities in Washington, and at the same time to supplant and include the other government which had long controlled under authority from an adverse foreign power, and a new and even bolder company of pioneers had pushed their way northward from the Columbia, and fixed their residence firmly on the shores of Puget Sound, it was easier than it had been before for the National Administration to assert, and Congress to approve, what both had heretofore only claimed in language scrupulously diplomatic or parliamentary in form, that the 49th parallel was, and of

right ought to be the permanent boundary. With this long disputed matter finally and forever settled, the organization of a territorial government naturally followed, and a few years later the creation of a second, and then a third territory, out of what was once the Columbia River and later the Oregon country, was easily arranged.

But there matters rested again. The Civil War reconstruction, the resumption of specie payments, and trans-continental railroad building absorbed public attention. The west advanced steadily and even rapidly. Washington, its richest and remotest part, earliest began to claim, and then to urgently demand recognition of its right to statehood. Its legislators planned and worked according to the light that was in them. Its governors—Ferry among the first—urged the matter in their annual reports to the Interior Department, in their correspondence and in their messages. But the East was conservative and even incredulous. As in the time of Bates and Mitchell and McDuffie it seemed scarcely practicable to extend the borders of the Union so far. It seemed scarcely possible, no doubt, that the new region, so long known yet so little known to many, could deserve what it so persistently asked. Could it be that a sufficient number of people to form a state, had gone two thousand miles to find new homes, when Kansas, Iowa and Minnesota were scarcely more than safely in the Union? How could it be that this new territory had grown so rapidly, when Ohio and Indiana and Illinois had been so much more deliberate and dignified in their progress?

But Washington was, at length, no longer alone in demanding statehood. Idaho formed wholly, and Montana formed partly out of the Oregon country, and partly out of the Louisiana purchase, and Dakota, large enough for two

states, were likewise demanding admission, and Congress could defer their claims no longer. An enabling act authorizing five new states to be formed along the Northern border, between Minnesota and the Pacific, was passed by the house and Senate, and became law in February 1889. It was a liberal act, and showed that a mighty change had taken place since Linn's time, in the opinion both of the people and their representatives, in regard to what the government might do for its people. In 1850 the donation law had been looked upon as an experiment of such extreme liberality, that its operations had been limited to three years, and then almost grudgingly extended to five. But now a settler who was American born, or who had become a naturalized citizen, might take a homestead wherever he could find an unoccupied or unreserved part of the public domain. In 1853 Congress felt that it had done a generous thing in giving two whole townships of wild land to found a territorial University in Washington, but this enabling act gave the new state two sections, in place of one in every township for public school purposes; 50 sections for public buildings; 90,000 acres for an Agricultural College and 100,000 acres for a Scientific School; besides liberal endowments in lands for Manual Schools and other institutions.

The act provided that the Constitution should be formed by a convention composed of delegates to be chosen by the people, and these were elected in June, and assembled at Olympia on July 4, 1889. They were a thoroughly representative body of men. There was not a developed industry in the territory, or an interest of any sort, without some one to speak for it, in case there should be need, or see to it that its requirements were not overlooked. There were men who had come early to the territory, like R. S. Moore of

Steilacoom, who had helped to cut the road through the Nachess Pass in 1853, and had afterwards been a lieutenant during the Indian war. There also was Edward Eldridge, one of the earliest settlers in Whatcom County, who had been speaker in the territorial House of Representatives in 1866, and afterwards had helped to make the Walla Walla Constitution in 1878. Among others who had seen service in the territorial legislatures of Washington or Oregon were John M. Reed of Whitman, Dr. S. H. Manly and Dr. J. C. Kellogg of Whidby Island, George H. Stevenson of Skamania, who had served in the legislature of the territory, and would also be a member of the first legislature of the State. Among the farmer members were J. P. T. McCroskey of Colfax, ambitious to be the best farmer in the state, and who was to serve several terms in the legislature; Dr. N. G. Blalock of Walla Walla, who had done and was doing more than any other one man to exploit the wheat and fruit growing possibilities of Eastern Washington; D. Buchanan, sturdy old Scotchman and good farmer and business man from Ritzville; O. H. Joy of Boisfort, farmer and mill owner; R. Jeffs, hop grower from King, and Louis Neace of Walla Walla. Frank M. Dallam, who had established the Review in Spokane, and James Powers of La Conner, represented the printing industry, while S. A. Dickey of Kitsap and H. M. Lillis of Pierce were school teachers. Lewis Sohns of Vancouver, widely known and universally respected in the territory, was a manufacturer and banker at Vancouver, and A. J. West of Chehalis, and C. H. Miller of Walla Walla were also engaged in manufacturing.

Of all the professions and occupations the doctors and lawyers were most numerously represented. Among the

former not already mentioned was Dr. T. T. Minor of King, who was one of the most active workers in the Convention. He had long been a leading spirit in all public undertakings in Seattle, and was equally interested in the advancement of the state. No member of the Convention excelled him, in patient attention to the business in hand, and few showed a keener or clearer comprehension of what a Constitution should contain. His untimely death, which occurred only a few weeks after the Convention had completed its work, was universally regretted.

Among the lawyers were many who held, and deserved to hold, first places at the bar. Of these George Turner of Spokane had been a justice of the Supreme Court of the territory, and later would be Senator; later still he would, with others, be charged with the important duty of fixing the Alaska boundary, a thing of international interest and consequence. R. O. Dunbar of Klikitat, would be a member of the first Supreme Court of the new state, and would long hold a place on that bench. Theodore L. Stiles, of Pierce, and John P. Hoyt, of King, were also to serve as members of the Court for a single term. S. G. Cosgrove, of Garfield, already ambitious to be governor, would win that honor in time but not live to enjoy it. D. J. Crowley, gentlest, wisest and best of men, and a most useful member of the Convention, venerable in appearance though still young, would also die before his time, and be generally regretted. J. J. Browne of Spokane, lawyer and business man, M. M. Godman of Columbia, John R. Kinnear of King, Hiram E. Allen of Spokane, J. J. Weisenberger of Whatcom, E. H. Sullivan of Colfax and P. C. Sullivan of Pierce, the youngest member of this Convention, Colonel W. F. Prosser of Yakima, would all take an active part in the debates and deliberations.

The members of the Convention were sworn in by C. H. Hanford, the last Chief Justice of the territory, who would soon be elevated to the federal bench, on the day appointed for their assembly, and immediately organized by selecting Judge John P. Hoyt as Chairman. Committees were selected in due course, the work of the Convention distributed among them, and the Convention proceeded to the work in hand.

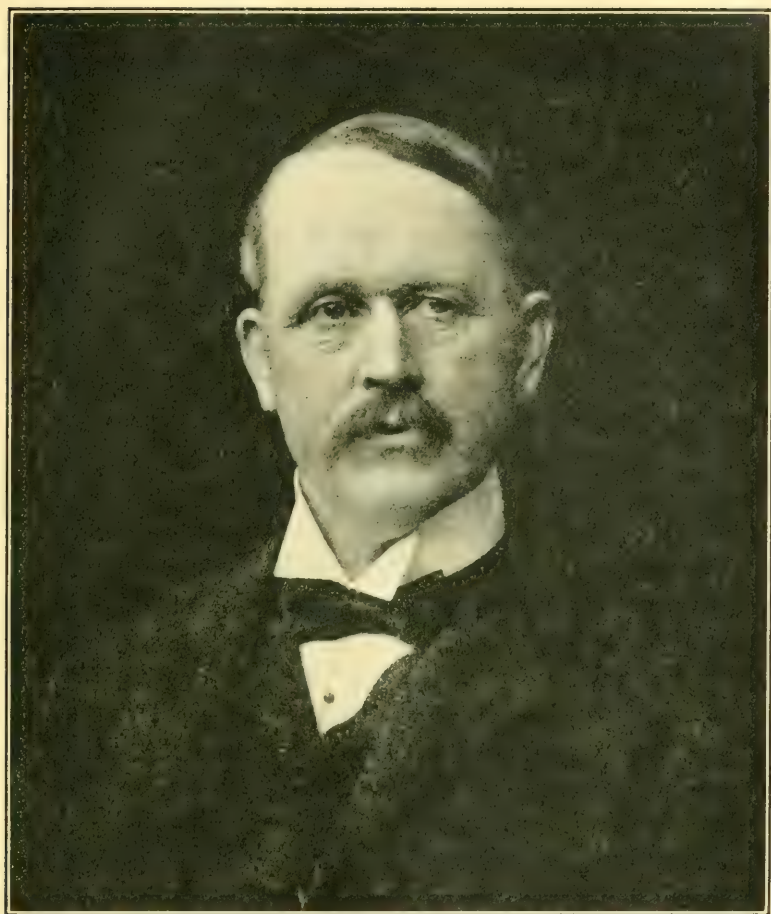
Although a full stenographic report of the Convention's proceedings was made from day to day, it has never been printed. Even its journal has not been published. Liberal appropriations for printing have been made by every legislature, but this record, which is a thing of ever increasing value and interest, has not been put in enduring form. The reporters' notes have not been transcribed, and it is reported that some part of them no longer exist. If this be true it is to be regretted, and it is to be hoped that the next legislature will take measures not only to preserve what remains of them, but to put them where the people, or those who may have use for them, may have easy access to them.

Before the delegates were ready to begin their work a large number of petitions, memorials and communications of various sorts, containing suggestions as to what the Constitution should and should not provide for, had reached the Capital and were awaiting attention. Some of these proposed universal suffrage; some that the manufacture, sale and use of ardent spirits in every form should be prohibited, or regulated by stringent local option laws; some insisted that corporations should be so limited in their powers and operations that they never could be dangerous, or even useful. Some advanced theories for a more or less automatic government of cities, by which the rights of taxpayers would be invariably safeguarded and protected, without much effort

JOHN B. ALLEN.

Born at Crawfordsville, Ind., in 1843; educated at Wabash College; came to Washington in 1870; was United States district attorney during the administration of Grant, Hayes and Garfield; was the last delegate to Congress from the territory, and one of the first senators elected from the state.





on their part on election days. It was plain from these that some portion of the community at least had but a very indefinite idea as to what a Constitution was or should be. As the wig makers of Nantes had applied in force to the States General, a hundred years earlier, to limit the number of apprentices who might engage in their useful occupation, so the representatives of many interests, both large and small, appealed to these delegates to make sure, once and for all, that all were provided at first hand with as much law of the fundamental kind as they could possibly have use for.

The Convention had not proceeded far when it became apparent that some of its members also had some very troublesome views as to what a Constitution should be. Could they have had their way it would have comprised a full code of statutes, many of them impracticable, inoperative, and unrepealable or amendable except by vote of the people. It took time, patience and hard work, principally in the Committees, to eliminate all these crude and impracticable theories. The work was also hindered and embarrassed to some extent by a numerous lobby representing various interests, but it was in time finally and satisfactorily accomplished.

The Convention sat fifty-two days, Sundays included,—though no sessions were held on Sundays,—and concluded its work. The Constitution was published in full in most of the newspapers of the territory, and on October 1st, 1889, the people, by a satisfactory majority, ratified and approved it.

Two articles were submitted separately, one providing for female suffrage, and the other for prohibition, but both were defeated. The location of the Capital was also voted upon as a separate issue, the cities competing being Olympia, Ellensburg, North Yakima and Vancouver, and Olympia won by a practically decisive vote.

In due course the Constitution, as adopted by the people, was approved by Congress, and President Harrison issued his proclamation announcing that fact. November 11th, 1889 was fixed upon as the day when the territorial should give place to the new state government, and on that day the state officers and members of the legislature who had been chosen on the day that the Constitution was voted upon, and a large number of citizens, including many of the oldest living settlers, assembled at the Capital. A procession was formed and marched to the building which had been erected in Stevens' time, and which had so narrowly escaped destruction by fire in that of Gholson, and there the old order of things passed away and the new began. Governor Miles C. Moore, last of the territorial executives, in a graceful valedictory address, which was much complimented by the newspapers at the time, turned the government over to Governor Ferry, who had been one of his predecessors as governor of the territory, and was now to be the first governor of the state. The other state officers took their oaths of office, the first legislature organized and began its session.

It was just a hundred and one years, and about a hundred days, since Gray and Kendrick had first displayed the flag of the Union, which was not yet a Union, off the Coast of Oregon, and forty-four years since Simmons, Kindred, McAllister and their party had fixed their homes at Tumwater, almost within sight of the scene of these ceremonies. The wilderness of those days had disappeared, and now a new state was launched, to take its place as number 42 in the fleet of the Union, and hold it proudly forever.

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